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This thesis examines the peacemaking process as it has unfolded in Cambodia. The end of the Cold War has engendered a new spirit of multi-lateral activism in the international community. Intervention in the domestic affairs of a sovereign country is deemed legitimate, necessary, and desired to secure more worldly goals of peace, stability and respect for human rights. The United Nations-sponsored peacemaking process brought to Cambodia sought to achieve these goals by establishing a cease-fire and setting Cambodia upon the road of a comprehensive political settlement through democratic self-determination in the form of elections in May 1993.

The analysis of this study has identified the Cambodian peace plan as flawed in content and context as an externally imposed solution to an internal problem entrusted to an institution without the ability to enforce peace and order. The mandate establishing the UN mission in Cambodia simply did not vest it with the proper authority to enforce compliance with the terms of the peace plan. Cambodian political culture possesses a dynamic which is resistent to national reconciliation. The winner-take-all mentality of the Khmer deva-rajas is poor soil for democratic pluralism to take root.

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Restoring peace and stability and establishing democracy in Cambodia will require more than an eighteen-month lull in the fighting, a single election, and the new constitution that the United Nations can bring to the situation. As such, the UN mandated peacekeeping plan for Cambodia, as it has unfolded, has exposed so many shortcomings of good intentions gone awry that it cannot be adopted as the universal model for a peacemaking process in the new world order.

The elections of May 1993 are not be a solution to Cambodia's political difficulties, although they may serve as a milestone on a longer road of development and reconciliation. Whatever the future may hold, the Cambodian people will have to work out their own fate. They may choose to seek help from the outside, but they must reconcile their differences at least to the extent that they can live together in peace.

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PEACEMAKING IN CAMBODIA: BLUEPRINT FOR A NEW WORLD ORDER?

by

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Lieutenant, United States Naval Reserve
A.B. University of California, Berkeley 1986

Submitted in Partial Fulfillment of the
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ABSTRACT

This thesis examines the peacemaking process as it has unfolded in Cambodia. The end of the Cold War has engendered a new spirit of multi-lateral activism in the international community. Intervention in the domestic affairs of a sovereign country is deemed legitimate, necessary, and desired to secure more worldly goals of peace, stability and respect for human rights. The United Nations-sponsored peacemaking process brought to Cambodia sought to achieve these goals by establishing a cease-fire and setting Cambodia upon the road of a comprehensive political settlement through democratic self-determination in the form of elections in May 1993.

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The winner-take-all mentality of the Khmer *deva-rajas* is poor soil for democratic pluralism to take root.

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EXECUTIVE SUMMARY

Introduction

The end of the Cold War has engendered an optimism, a bolstering of expectations for a new world order of peace and stability. Ideology has been augmented by moral and humanitarian impulses together with the realization that internal conflicts can adversely affect regional security and stability to form the basis of a new doctrine of interventionism calling for international mediation in conflict resolution. An unprecedented amount of interventionism is now deemed legitimate, necessary, and desired to secure political goals. Graphic media images flame the indignation and demands for action. As yet ill-thought out in its implications and its chosen instruments, this doctrinal call for a new world order in an unstable and inhumane world has increasingly turned to its UN to act as judge, jury, and now executioner in conflict resolution.

Background to the Cambodian Conflict

The current Cambodian intervention is the prime example of this new activist doctrine operationalized, capitalized, and set into motion. Cambodia's history of misery and destruction dates from the early 1970s when it became a sideshow to the efforts in Vietnam. Suffering and ruin in Cambodia continued through the Khmer Rouge holocaust; the Vietnamese invasion and subsequent occupation; and most recently in the civil war involving factions backed by the various regional players and former superpowers. War in Cambodia has developed in stages from a sideshow to a puppet show, the country seemingly merely a backdrop against which superpower competition for security was played out through Cambodian surrogates.

In the latest stage of the conflict, the Cambodian drama emerges as an epilogue to the Cold War as the formerly competing puppeteers come full circle to cooperating in an attempt to end the civil war. Perm Five members of the UN Security Council had supported opposing sides in the fighting; in agreeing to end the outside intervention that was fueling the conflict, the former puppeteers and their factions thought they had the power and means to bring peace and stability to Cambodia. The successfully negotiated settlement signed in Paris in October 1991 gave

rise to hope that ballots, not bullets, would finally end the civil war in Cambodia, and that such an example of outside mediation and intervention could serve as a blueprint for order in the post-Cold War world.

The importance of the Paris Peace Settlement cannot be overlooked: for the second time in as many decades (the first being the Khmer Rouge attempt at an agrarian utopia in the late 1970s), Cambodia has become a test bed for some of this century's more radical political ideas. The experiment mandated by the Paris settlement marks the UN's first attempt to go beyond simply keeping a peace: the UN is attempting to *impose a peace and then create a nation.* After nearly fifty years of existence, the UN for the first time is attempting to fulfill the ideal and vision of its founders (and the new interventionists) as the agent of peace and stability in a new world order.

The Peacemaking Process

The requirements laid on the United Nations Transitional Authority in Cambodia, UNTAC, and its Japanese managers to end the fighting are daunting; the process has in fact run into major problems and delays. Having ended their own rivalry, the superpowers are frustrated to find that they cannot push on the strings which they used to pull their Cambodian clients into conflict: the puppets have taken on a life and agenda of conflict, grievances, and rivalries of their own. Superpower reconciliation, while a necessary condition, is not a sufficient condition for peace in Cambodia.

The real challenge in Cambodia will be making the political results stick after the elections. The impulse for crusading interventionism is not as yet accompanied by the political will nor economic resources to shoulder the burden of world policeman. The international community is much more comfortable with the role of volunteer fireman: charging out in response to an emergency, stamping out the brush-fire, then quickly returning home until the next alarm. If Cambodia is to serve as a blueprint for a new world order, then the UN must be prepared and equipped and empowered for the long haul presence and armed occupation. The evidence does not show that the UN is willing or able to perform this function.

Towards a Conclusion

My original hypothesis was that the UN could be successful in bringing about a peace and building a new nation in Cambodia; as research progressed, the antithetical evidence emerged to indicate that

the chances for real and meaningful success were poor. In my opinion, any peace plan must meet the criterion set by, and have the cooperation of, all the players; in Cambodia's case this means the UN, the great powers, the neighbors, and finally the factions within. Factional in-fighting remains the most intractable of the problems stalling the peace process.

Cambodian political culture possesses a dynamic which has proven resistent to external efforts at conflict resolution. The winner-take-all mentality and political culture of the Khmer *deva-rajas* will be difficult to supplant despite the apparent desire for a western sense of democratic pluralism. Order, however imposed, is only a remedy and not a cure; nations working through the UN can provide relief from the ills of civil war, but only by way of providing an army of occupation which might become another faction in the civil war. The nagging question remains, can a civil war be resolved by outsiders?

Any acceptable role model for peacemaking in a new world order must find a way of addressing problems of ethnic strife, nationalism, and political legitimacy. If Cambodia is to arrive at a political settlement, a true end to the civil war, then it must find a way internally to resolve these conflicts. Thus far the Peace Intervention in Cambodia does not fill this bill.

I. INTRODUCTION

A. THE NEW INTERVENTIONISM

The end of the Cold War has engendered an optimism for a renewed internationalism in the world community, a bolstering of expectations for a new world order of peace and stability. Ideology has been augmented by moral and humanitarian impulses in the realization that even localized internal conflicts can adversely affect regional security and stability. These impulses and realizations form the basis of a new doctrine of interventionism calling for international mediation in conflict resolution[1]. An unprecedented amount of activism is now deemed legitimate, desired, and necessary to secure the political goals of stability, respect for human rights, and assurance of self-determination for indigenous peoples.

Graphic and immediate media images of violence and strife, of innocents injured and killed in wars around the world, flame the

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[1]For an excellent discussion of this topic, see Stephen John Stedman, "The New Interventionists," Foreign Affairs 72 (Winter 1993), 1-16; the political science, international relations,and national security literature has been inundated with papers seeking to come to grips with the new paradigms of interventionism.

indignation and demands for action by an outraged world community. As yet ill-thought out in its implications and chosen instruments, the doctrinal call for intervention on moral or humanitarian grounds in an unstable and inhumane world has increasingly led the peoples of the world to turn to their United Nations for answers and action as judge, jury, and executioner in conflict resolution and national reconciliation.

The Conflict in Cambodia

Cambodia serves as a prime example of this new interventionism operationalized, capitalized, and set into motion. Cambodia's contemporary history of misery and destruction dates from the late 1960s when violence spilled over into the country as a sideshow to the anti-communist efforts in Vietnam. Suffering and ruin have spread since then as Cambodia experienced the Khmer Rouge holocaust; the Vietnamese invasion and subsequent occupation; and most recently the civil war. The conflict in Cambodia evolved from a sideshow to a puppet show, the country seemingly a mere regional stage upon which first international competition, the Cold War, and later intra-regional struggles for security was played out through Cambodian surrogates.

Epilogue to the Cold War?

In the latest stage of the conflict, the Cambodian drama emerges as an epilogue to the Cold War as the formerly competing puppeteers

have come full circle to cooperate in an attempt to end the civil war there. Permanent Five members of the UN Security Council had supported opposing sides in the fighting; in agreeing to end the outside intervention that was fueling the conflict, the puppeteers thought they had the power and means to bring peace and stability to Cambodia.

The successfully negotiated settlement signed in Paris on 23 October 1991 gave rise to hopes that ballots, not bullets, would finally end the civil war in Cambodia. In the surge of optimism that accompanied the agreement and the attendant international commitment of resources to the effort, it was widely hoped that such outside mediation and intervention for peace in Cambodia, implemented by the UN, could serve as a blueprint for order in the post-Cold War world. Ambitious and bold in its approach, UNTAC was initially held up as the model for a peacemaking process in a new world order.

B. THE PEACEMAKING PROCESS

Comprehensive Political Settlement

The United Nations Transitional Authority in Cambodia, UNTAC, was created in response to the Agreement on a Comprehensive Political

Settlement of the Cambodia Conflict signed in Paris on 23 October 1991[2]. The signing of the Agreement capped a long and complex series of negotiations and discussions among the involved and interested factions and powers party to the conflict in Cambodia.

The importance of the Comprehensive Political Settlement cannot be overlooked: for the second time in as many decades (the first being the Khmer Rouge attempt at an agrarian communist utopia in the late 1970s), Cambodia has become a test bed for some of this century's more radical political ideas. The experiment mandated by the Paris settlement marks the UN's first attempt to transform the nature of peacekeeping into a comprehensive form of conflict management known as peacemaking or peace-building: the UN is attempting to *impose a peace* and then *create a government in Cambodia based upon democratic principles* for a people who know little of either.

Role of the United Nations

In backing and funding the Security Council Resolution that established UNTAC, member nations have empowered its UN to step beyond the traditional role of peacekeeper to the more comprehensive one of *peacemaker* in seeking an end to the fighting in Cambodia. After nearly fifty years of existence the UN is attempting to fulfill the ideal and

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[2]see Appendix A for a reproduction of the text of this agreement.

vision of its founders as the agent of peace and stability in a new world order.

The challenges UNTAC faced in fashioning a peace in Cambodia were daunting: the Agreement called on UNTAC to create, enforce, and monitor a cease-fire in a country saturated with armaments; to canton belligerents and demobilize 70% of the troops; to monitor and in some areas run the Cambodian government; to repair and reconstruct an economic and social infrastructure shattered by years of warfare; to prepare the country intellectually and politically for democracy; and finally to conduct free and fair elections that allow Cambodians a measure of self-determination. Other major components of the UNTAC mandate calls for the clearance of mines, safe-guarding of human rights, and the repatriation of refugees displaced by the conflict.

C. TOWARDS A RESOLUTION OF CONFLICT IN CAMBODIA

If the political and economic development of a society can be thought of in terms of an upward climb, the appropriate imagery for Cambodia is that of an aspirant perched on a precarious ledge poised for the try at the next level up, the leap to peace, self-determination, and a measure of self-sufficiency. The imagery of the risk Cambodia faces, the long fall back into darkness, in failing to make that leap and achieve a

lasting resolution of the internal conflict is also most appropriate given Cambodia's recent brushes with genocidal revolution, foreign occupation, and civil war.

The peacemaking process has in fact run into major problems and delays since its inception, not least of which is factional intransigence to national reconciliation. Having ended their own rivalry, the superpowers are frustrated to find that they cannot easily manipulate the strings which they used to pull their Cambodian clients into conflict. The puppets have taken on a life, an agenda of grievances and rivalries, of their own. Superpower reconciliation, while certainly welcome and necessary, is not a sufficient condition for peace to break out in Cambodia.

The real challenge in Cambodia will be making the political results stick after the UN-supervised elections, overcoming factional resistance to reconciliation and pluralism. The crusading interventionism that pervades the international community is not yet accompanied by the political will nor economic resources to shoulder the burden of world policeman that interventionism entails. The international community seems more comfortable with the role of volunteer fireman: charging out in cases of emergency to stamp out the brush-fires and then quickly return home until the next alarm.

The current UN effort, if it is to be truly successful, must resolve centuries of conflict between the tribes and races inhabiting the region, peoples who have been vying with one another for territory and resources since the beginnings of their history. The problems of the Cambodian people, the bombings, killing fields, civil war, and refugee exodus, have an internal dynamic that has little to do with the regional confrontation and cold war maneuvering that the UN is addressing directly. The UN is attempting to create and impose a state in Cambodia, a state as defined in the West. As such, the international political solution being pursued does not address regional and internal issues of ethnic strife, nationalism, and legitimate power.

The UN can be successful in externally imposing a peace if it is prepared to take on the role of policeman, the dreary day-in, day-out task of maintaining order in the hamlets and villages. Such success, however, will require an indefinite if not permanent UN garrison. If Cambodia is to serve as a blueprint for an imposed world order, then the UN must be prepared and equipped and empowered for the long haul presence and armed occupation to impose that order as the policeman on the corner. The evidence does not show that the UN is willing or able to perform this function.

Order, however achieved, is ultimately only a remedy and not a cure for the ills that cause civil war; nations working through their UN can provide relief from the effects of civil war in becoming an army of occupation, another faction in the civil war, but cannot remove or relieve the causes of civil war[3]. The nagging question remains, can a civil war be resolved by outsiders? Cambodian political culture possesses a dynamic which has proven resistent to external efforts at conflict resolution. The winner-take-all mentality and political culture of the Khmer *deva-rajas* will be difficult to supplant despite the apparent desire for a western sense of democratic pluralism.

Any internationally supervised model of political resolution and national reconciliation must find a means of adequately addressing the problems of ethnic strife, nationalism, and political legitimacy that bedevil internal political processes. Means of resolving such problems in Cambodia remain murky at best, as does the prospect for long-term stability. If Cambodia is to arrive at a political settlement, a true end to the civil war, then a way must be found to resolve these internal issues. Any peace plan must meet the criteria set by, and have the cooperation of, all the players. In Cambodia's case this means the UN, the great powers, the neighbors, and finally the factions themselves. Intervention

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[3]Stephen John Stedman, "The New Interventionists," Foreign Affairs 72 (Winter 1993), 14.

by an international actor such as the UN is a technique of conflict resolution that must be tailored specifically to the situation with great sensitivities paid to the context of the problem. As such, a system of international intervention by the UN is not a magic formula for conflict resolution and the imposition of a new world order in being unable to take on the never ending job of resolving conflicts that have existed for ages.

II. FRAMEWORK AND METHODOLOGY

A. THE RESEARCH QUESTIONS

The focus of this thesis is the peacemaking process as it has unfolded in Cambodia. The research problem is an analysis of the forces and interests, international, regional, and local, that have come together in an effort to achieve a resolution of the conflict that has plagued Cambodia for so much of its contemporary history. This study hopes to arrive at a prognosis of the chances for a political solution to the violence in Cambodia, and an assessment of the viability of the negotiated peace process in Cambodia. The basic research question is one of feasibility: can the Comprehensive Political Settlement work?

Making the Peace Process Work -- the Role of the United Nations

Assessments of the prospects for successful peacemaking in Cambodia turn to the question of implementation of the provisions of the Comprehensive Political Settlement: just how well the UN has managed to remain impartial and neutral as a mediator to the factions in Cambodia. The successful negotiations that initiated the peace process bred a certain optimism for a successful peace. Implementation,

actually taking the steps towards that peace in stark contrast, has bred pessimism and mistrust all around.

Analysis of UN handling of the peacemaking process, the successes and failures it has overseen, gives rise to questions concerning the capability of the UN to take on an activist role as an agency *imposing* peace and stability in a New World Order. The UN is certainly the proper forum for bringing conflicting parties to agreement, but is it the proper venue to see out the terms agreed to? In the Cambodian context the efficacy of the UN as the executive institution carrying out a doctrine of interventionism is evaluated against its ability to carry out the peacemaking mandate. Can the UN institution make peace and stability happen in Cambodia?

Sources of Conflict in Cambodia

Conventional Cold War-era paradigms of conflict are rooted in bi-polarity: local and regional conflicts are seen as outgrowths of super-power competition. In this line of thinking, the Cambodian conflict and national disintegration was caused by the intervention of competing foreign interests. It is therefore logical and consistent to expect that the intervention of *cooperating* foreign interests can bring about the opposite of conflict, peace and stability. The question remains, however, as to just how comprehensive the Political Settlement is, whether it really resolves

the root causes of conflict of Cambodia. What are the grievances and disagreements of the Cambodian factions, and can such be resolved by outsiders?

A New World Order?

As it was introduced in 1991, the UN Security Council mandate to supervise and implement the Cambodian Political Settlement was hailed as an ambitious and expansive effort marking a quantum leap forward in international mediation of conflict. In Cambodia, the UN would be moving out of its traditional role as peacekeeper and on to that of *peacemaker*. The optimistic hopes for a New World Order are pinned to the belief that an enlightened and humanitarian-oriented interventionism can serve as a template for national reconciliation and reconstruction.

Given the high expectations alluded to in the previous section for a New World Order, the question arose whether the multi-laterally negotiated and UN-supervised peace process as exemplified by the Cambodian experiment could apply to other conflicts around the world. The hypothesis of this study is that the peace plan as carried out in Cambodia by the UN is too ambitious and cannot serve as a model for conflict resolution.

B. METHODOLOGY

A meaningful understanding of the peace process in Cambodia requires more than an examination of the diplomatic history and content of the Paris Peace Plan and UNTAC mandate. Attention must be paid to the environment in which Cambodia's troubles unfolded and to the indigenous Cambodian political culture.

Policy Analysis

In terms of political science methodology, this study is conducted as an analysis and evaluation of the policy and process[4] that began with the signing in Paris of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict in October 1989. This analysis will serve to examine and question the efficacy of the UN as an institutional actor in its attempts to carry out the policy of imposing peace.

The study of the formulation of the peace process in Cambodia illustrates the difficult nature of interventionism. External actors have a complex impact on changing societies, an effect that is not readily transparent if the society, the context, is not clearly understood. Failure

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[4]For a discussion and definition of this type of research, see Jarol B. Manheim and Richard C. Rich, Empirical Political Analysis, 3rd ed., (New York: Longman Publishing Group, 1991); Charles O. Jones, An Introduction to the Study of Public Policy, (Monterey, CA: Brooks/Cole, 1984); Edward A. Suchman, Evaluative Research, (New York: Russell Sage Foundation, 1967); Leonard Rutman, ed., Evaluation Research Methods, (Beverly Hills, CA: Sage, 1977).

of the peace process has important implications for the future prospects for a new world order.

My original working hypothesis was one of optimism about the chances for success of the Paris peace plan as negotiated for implementation by the UN. Further research and study of the efforts to effect national reconciliation and build a new government in Cambodia caused me to reverse my hypothesis 180 degrees. The barriers and problems encountered as the process has unfolded appeared to be insurmountable.

Political Culture

As an academic inquiry, this thesis emphasizes the importance of considering political culture in foreign area research, an approach and perspective developed by Lucian Pye[5]. A striking trait that distinguishes Pye's work is a deep-seated instinct not to take things at face value. After listening to what people write and say about themselves, their motives, and their actions, Pye delves below the sanitized societal explanations

[5]Recent works wherein Pye outlines the conceptual and methodological issues pertaining to the study of political culture include The Mandarin and the Cadre: The Political Cultures of Confucian Leninism, (Ann Arbor, MI: Center for Chinese Studies, University of Michigan, 1988), and Asian Power and Politics: Cultural Dimensions of Authority, (Cambridge: Harvard University Press, 1985).

and rhetoric to examine overt behavior for hints and clues as to what may really be going on[6].

Political culture encompasses the deep-rooted attitudes, dispositions, orientations, expressive symbols, and values of a people. The local cultural context, difficult to grasp, calculate, and quantify, yet very real nonetheless, is of vast importance influencing the outcome of the plots and plans of regional and great powers. These factors are important determinants of human social behavior, including political development.

A clearer perception of the cultural factors at work in the Cambodian situation can result in clearer insights into the prospects for a successful peace and meaningful political dialogue in Cambodia. It is therefore the spirit of the political cultural perspective of Lucian Pye, as I understand it, which grounds and guides this examination of the Cambodian peace process.

C. ORGANIZATION

This thesis has been sectioned into four main areas made up of nine chapters. The first section, consisting of two chapters, is

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[6]Donald L. M. Blackner, "An Appreciation of Lucian W. Pye," in The Political Culture of Foreign Area and International Studies, Richard J. Samuels and Myron Weiner, eds., (Washington: Brassey's (US), 1992), xviii.

introductory in nature as the research problem and the conceptual framework guiding this study is presented. The introduction considers the basic concept of peacemaking and the interests and impulses driving the interventionist doctrine that forms the basis and rationale for the peace process in Cambodia. The second chapter in this section discusses the intellectual framework and research methodology this study employs.

The body of this thesis, the second and third sections, lays out chronologically the Cambodian Peace Process as it has unfolded. The second section deals primarily with the historical background of the peace process in Cambodia, one chapter dealing with the period of the cold war and another with developments since the end of the cold war.

The third section reviews the international solution from negotiation through to operationalization. Separate chapters consider the terms of the 1991 Paris Peace Accord; the mandate, structure, and mission of the United Nations; and the problems of implementation that the UN has faced.

The fourth section is one of assessment of the efficacy of the peace process as it has developed up to the UN-sponsored elections of May 1993. It remains to be seen whether the results of this election, conducted and validated under political conditions vastly different from

the free and neutral environment envisioned by the Paris Peace Agreement signatories, will stand. The government arising from the peace process will undoubtedly face opposition and challenge, not least of which is a Khmer Rouge insurgency and a possible division of the entire country. The international community faces the dilemma of how much more blood and treasure to spend in order to make its program work.

III. INTO THE MAELSTROM

Few nations have known suffering as intensely as Cambodia has. Cambodia's contemporary history is one of tragedy, an endurance of over twenty years of war, civil strife, and revolution. A recurring characteristic of the conflict in Cambodia has been the regional and international forces underpinning the local competing parties. External interests have wielded an undue influence in the strife between Cambodian factions, at best aiding and abetting the carnage, at worst precipitating the next round of violence.

Sideshow

Warfare ostensibly spilled over from the Vietnam War into Cambodia in late 1969 as the US initiated Operation Menu, a massive bombing campaign aimed at eliminating the use of Cambodia as a sanctuary and headquarters area by North Vietnamese and Viet Cong forces[7]. Lasting until 1975, Operation Menu expanded in its subsequent

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[7]For an excellent, authoritative, and perhaps controversial account critical of the US role in expanding the Vietnam War into Cambodia, see William Shawcross, Sideshow (New York: Simon and Schuster, 1979); for an understanding and appreciation of the Administration view of the situation in Cambodia, see Henry Kissinger, White House Years (Boston: Little, Brown, 1979).

phases to include ground troops entering Cambodia in "hot pursuit" of enemy forces and US aircraft attempting to sever the logistical re-supply route, the Ho Chi Minh Trail, that began in North Vietnam and ended in Cambodia's border areas adjacent to South Vietnam. Cambodia had nominally been neutral until this time in accordance with the Geneva Conference agreements on Indochina in 1954[8].

King (Prince after 1955) Norodom Sihanouk, the monarch installed by the French in 1941 during Cambodia's political hiatus as a French Protectorate, had in the months and years following the Geneva Conference attempted to pursue a nonaligned foreign policy for Cambodia and himself. This emphasis on nonalignment, distinct from neutrality per se, cannot be understood without reference to Cambodia's history of foreign subjugation and its very uncertain prospects for

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[8]The Geneva Conference was attended by representatives of Cambodia, North Vietnam, the Associated State of Vietnam (precursor to South Vietnam), Laos, the People's Republic of China, the Soviet Union, France, Britain, and the United States. On July 21, 1954, an agreement had been reached calling for the cessation of hostilities in Indochina with stipulations pertaining to Cambodia that all French and Viet Minh military forces would be withdrawn by October 1954, that Cambodian communist resistance forces would be demobilized, and that Cambodia would enjoy a pseudo-neutrality in vowing not to join any military alliance "not in conformity with the principles of the Charter of the United Nations," nor allow the basing of foreign military forces on its territory "as long as its security is not threatened." Russell R. Ross, ed., Cambodia: A Country Study, 3d ed., Area Handbook Series (Washington D.C.: Library of Congress, 1990).

survival as the war in Vietnam intensified. In pursuing a less-than-perfect pragmatic nonalignment, neutrality only in the sense of continually flirting but not staying aligned with any one faction or power for too long a time, Sihanouk displayed the remarkable aptitude for political survival that sustained him time and again in the years and shifts in political fortunes that followed.

By the mid- to late 1960s, Sihanouk's delicate balancing act of maintaining himself in power by maintaining Cambodia's neutrality began to go awry as the pressures and demands of warring neighbors and disgruntled subjects became too great. Sihanouk had previously been able to play off against one another the various regional and internal forces seeking dominance in Cambodia. It is to Sihanouk's credit as a politician that he was able to pull off the charade for some 15 years, from 1955 when he was first elected chief of state, until 1970 when he was overthrown by his own Prime Minister, General Lon Nol. Cambodia's neutrality had steadily eroded to the point by 1969 of becoming a complete sham. The large-scale North Vietnamese and Viet Cong presence in Cambodia finally provoked a US response which burst the bubble, the Menu series bombings of the country.

Domestically the political situation grew more unstable as Sihanouk's tactic of playing off the local factions against each other

began to back-fire. Resentments grew in the late 1960s in response to his high-handed and two-faced ways[9]. After Sihanouk publicly claimed credit for achieving independence from France in 1953 and formed the *Sangkum Reastr Niyum* (Popular Socialist Community) political party in 1955, organized political opposition to the prince had virtually disappeared. The leading opposition Democratic Party was disbanded in 1957 after its leaders, having allegedly been beaten by government troops, respectfully requested the privilege of joining the *Sangkum*[10]. Sihanouk's main supporters in the *Sangkum* were virulently anti-communist, yet his attitude towards the left was strangely conciliatory as he dabbled with socialist policies and welcomed prominent and capable leftists into his government. Towards the end of the 1960s, Sihanouk and Cambodia faced an increasingly volatile political predicament as both left and right became increasingly alienated from the government, and mobilized for conflict.

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[9]David P.Chandler, The Tragedy of Cambodian History (New Haven: Yale University Press: 1991), 159.

[10]Michael Vickery, "Looking Back at Cambodia, 1942-76," in Peasants and Politics in Kampuchea, 1942-81, eds. Ben Kiernan and Chanthou Boua (London: Zed Press, 1982), 98.

Challenges From the Left

By early 1967, the combination of regional developments (the widening conflict in Vietnam and use of Cambodia as a base area), the competing interests among Phnom Penh's politicized elite, and the deteriorating economic situation and resulting social tensions created an environment favorable for the emergence of a small scale Communist insurgency in the rural areas. The Samlaut rebellion broke out in Battambang Province and, while dealt with harshly by the royal armed forces, spread rapidly to the provinces of Pursat, Kompong Chang, Kompong Cham, Kampong Speu, Kampot, and Kampong Thum. By the end of 1968, unrest was reported in eleven of the country's eighteen provinces[11]. Sihanouk, seeing the uprisings primarily as a personal insult, personally supervised the counter-insurgency measures. Sihanouk later noted offhandedly that peace had been restored but that approximately 10,000 people had died, although this number was later revised to the hundreds[12].

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[11]Russell R. Ross, ed., Cambodia: A Country Study 3d ed., Library of Congress Area Handbook Series (Washington D.C.: US Government Printing Office, 1990), 42.

[12]David P.Chandler, The Tragedy of Cambodian History (New Haven: Yale University Press: 1991), 166.

The Samlaut rebellion serves as an excellent example in microcosm of the pathology of political conflict in Cambodia. The uprising sprang from local grievances against injustice and social change, corruption, and ham-fisted government behavior[13]. Leftist students and teachers from the provincial city, Battambang, undoubtedly encouraged the peasants to blame their troubles on feudalism, Lon Nol (the rightist Prime Minister), and the United States. The communist party acted as facilitator of the local armed struggle[14], seizing upon the uprising as an opportunity to organize and spread the discontent. The government's harsh response to the local cause likely made it easier for the communist opposition to recruit adherents and gain supporters for its wider agenda. The situation is one wherein outside players have descended on a "local" dispute to exploit the circumstance for the advancement of a larger cause. This pattern of outside players coming in to Cambodia to work

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[13]Ibid, 166.

[14]Chandler (1991) notes that Pol Pot plays down the role of the party in the affair, praising instead the spontaneous revolutionary zeal of the participants, in his history of the Communist Party of Kampuchea published some ten years after the incident (1977). However, Ben Kiernan states that "the insurrection was clearly organized in advance." How Pol Pot Came to Power (London: Verso, 1985), 250. The CPK Center was unwilling to associate itself with military failure, which the Samlaut Rebellion turned out to be, and so denied its own involvement. Pol Pot's version of events can be seen to be self-serving and so less credible.

through surrogates is a recurring theme this thesis will revisit in illustrating the Cambodian conflict as a puppet show.

In January 1968, communists led by Pol Pot established the Revolutionary Army of Kampuchea (RAK), precursor to the Khmer Rouge armed forces. It is interesting to note that during this period the RAK received minimal assistance from the world communist movement. The North Vietnamese were extremely reluctant to alienate Sihanouk at a time when vital supplies were passing through Cambodia along the Ho Chi Minh Trail and through the port of Kampong Sam (then Sihanoukville). Beijing and Moscow were supplying Sihanouk's government with arms, which were in turn used against the communist insurgents, as an enticement to further direct cooperation with the communist superpowers. The indifference of their communist brethren to the Cambodian communist struggle was to make a lasting impression on Pol Pot and the other Khmer Rouge leaders.

The Khmer Republic

In August 1969 Sihanouk appointed a Government of Salvage that was far to the right of his previous Government of the Last Resort[15] in a move calculated to appease the right, which included the urban elite and the military, who had grown increasingly discontented and

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[15]William Shawcross, Sideshow (New York: Simon and Schuster, 1979), 113.

alienated with Sihanouk's handling of Cambodia's deepening economic malaise and his weak response to the challenge from the left. The Prime Minister for this government was General Lon Nol, head of the Cambodian armed forces.

As economic and military problems multiplied, opposition to Sihanouk from both radical (Pol Pot) and conservative (Lon Nol) movements increased and gained momentum. In early 1970, Sisowath Sirik Matak, the prince's cousin and Cambodia's vice premier, began engineering a coup d'etat while both Lon Nol and Sihanouk were out of the country. Matak, eight years older than Sihanouk, had been passed over for the throne by the French in 1941. Efficient, aloof, and relatively pro-American, Matak was convinced that Cambodia's economy needed to be freed from state control, and that Vietnamese Communist troops should not be allowed to take shelter in the country[16].

Lon Nol returned from medical treatments in France in February 1970 to find that discontent with Sihanouk was widespread, and that plans for a coup were well advanced among the army officer corps. Government-planned demonstrations (a recurring tactic in Cambodian politics) against the two Vietnamese embassies in Phnom Penh on March

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[16]David P. Chandler, The Land and People of Cambodia (New York: Harper Collins Publishers, 1991), 128.

11, 1970 turned into vicious riots of racist anger by Cambodian mobs. The embassies were sacked and the mobs turned on the ethnic Vietnamese residential neighborhoods of Phnom Penh to continue venting their rage. The mobs were angry about Vietnamese occupation of their country, the Vietnamese use of Cambodia as a sanctuary, and blamed Sihanouk for allowing this state of affairs to come to pass. The right saw in these outbursts an opportunity to consolidate the leftist Khmer Rouge threat with the endemic anti-Vietnamese sentiments of the people as a foundation for popular support.

While Sihanouk was away on an extended trip to Moscow and Beijing, Sirik Matak and his supporters had been pressuring Lon Nol to support a coup. Finally, during a predawn confrontation on March 18 in which Matak threatened to shoot him, Lon Nol signed a decree as Prime Minister approving the overthrow of Prince Sihanouk. The National Assembly was hastily convened that same day and voted unanimously to depose Sihanouk as chief of state. The Assembly went on to grant Lon Nol emergency powers while confirming Matak in his position as deputy prime minister. The new government christened itself the Khmer Republic, and emphasized that the transfer of power had been totally legal and constitutional. Perhaps most importantly, it enjoyed

immediate acceptance and recognition by most of the diplomatic community. All this was clearly a "sideshow" to the Vietnam War.

While the question of American complicity with the coup has never been completely laid to rest, several writers have noted that the coup marked a final stage in a rather drawn-out process of Cambodian de-neutralization[17]. Cambodia emerged from the coup solidly pro-American as the anti-Communist stance of the newly formed republican government sought and attracted massive amounts of American foreign aid[18]. The turning on of the dollar faucets proved a quick remedy to Cambodia's deepening economic woes, but in light of subsequent events, the cure proved worse than the disease. As Chandler notes: "The main

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[17]See T.D. Allman, "Anatomy of a Coup," and William Rosoff, "Dissension in the Kingdom," in Cambodia: The Widening War in Indochina, ed., Jonathan S. Grant, Laurence A. G. Moss, and Jonathan Unger (New York: Washington Square Press, 1971), and William Shawcross, Sideshow (New York: Simon and Schuster, 1979).

[18]The question of cause and effect remains a subject open to debate as commentators, noting the widespread corruption of the new regime, cynically wondered if the anti-communist ideology of the Khmer Republic's leaders extended past their own pockets. The Khmer Republic received a total of $1.85 billion in US economic and military aid over its five years of existence, almost exactly one million dollars a day. William Shawcross, Sideshow (New York: Simon and Schuster, 1979), 350. In June 1975, the Defence Intelligence Agency noted that supplemental military aid would not have changed the outcome due to "corruption in all segments of society ..." undermining "the effectiveness of the military as well as the government." Defense Intelligence Agency, Cambodia: The Military Campaign that Defeated the Cambodian Armed Forces (Washington D.C.: US Government Printing Office, 1975), 6.

effects of the coup and of Sihanouk's response to it were to free Vietnamese forces from the restraints imposed by their alliance with Sihanouk and to pull all of Cambodia into the Indochina War"[19]

The Widening War

Sihanouk had been in Moscow at the time of the coup, en route home to Cambodia from another of his frequent sojourns abroad. Initially distraught and indecisive over which course of action to pursue, whether or not accept the coup as a *fait accompli* and seek asylum in France, Sihanouk continued on to Beijing. There he was approached by Chinese Premier Chou Enlai who offered to mediate with the Khmer Rouge and Vietnamese communist[20] in the creation of a unified

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[19]David P.Chandler, The Tragedy of Cambodian History (New Haven: Yale University Press: 1991), 201.

[20]In his memoirs, Sihanouk presents a much more pleasant picture of his arrival in Beijing and his meeting with his erstwhile allies: "Western press reports spoke of some 'negotiations' with Pham Van Dong [North Vietnamese Premier] and 'mediation' by Chou Enlai. This was nonsense! Our solidarity had always been there. Now it was moved up to a higher level and buttressed by the force of events." My War With the CIA, (New York: Pantheon Books, 1973), 30. Writing in June 1970, the beginning of his struggle with the Khmer Republic, the literal veracity and accuracy of the Prince's remarks and recollections is questionable. Certainly he would have had a motive to make a virtue of the necessity of allying himself with the communists at the time he was writing.

resistance movement[21]. On May 5, 1970, the establishment of a National United Front of Kampuchea (*Front Uni National du Kampuchea* -- FUNK) and a Royal Government of National Union of Kampuchea (*Gouvernement Royal d'Union Nationale du Kampuchea* -- GRUNK) was announced in Beijing[22]. Nominally headed by Sihanouk, this partnership was by all objective accounts a marriage of expediency and convenience. The communists gained a measure of legitimacy and popular support in having Sihanouk as a front man, while Sihanouk in turn kept alive his chances of being a player in Cambodian politics.

From Beijing, Sihanouk broadcast an appeal urging resistance to the usurpers in Phnom Penh. Still popular among the villagers and in the countryside, Sihanouk's call elicited a response of widespread demonstrations and riots[23]. The regime's response was swift and sure. In one incident on March 26, several thousand Khmers decided to converge on the capital to express their support for the prince; they were met at

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[21]This version of events is presented by David P. Chandler, The Tragedy of Cambodian History, (New Haven: Yale University Press, 1991), 199-201.

[22]Russell R. Ross, ed., Cambodia: A Country Study, 3d ed., (Washington D.C.: US Government Printing Office, 1990), 44.

[23]Ben Kiernan, "The 1970 Peasant Uprising Against Lon Nol," in Ben Kiernan and C. Boua, eds., Peasants and Politics in Kampuchea, 1942-1981 (New York: M. E. Sharpe, Inc., 1982), 218-219.

the approaches to the city and fired upon. Roughly one hundred demonstrators were killed or wounded outright, and the survivors who sought refuge in the ethnic Vietnamese villages along the Mekong River were hunted down and arrested over the next few days[24]. Similar popular demonstrations in Takeo and Kampot provinces were also brutally suppressed.

The appeal of the Sihanouk-communist coalition grew immensely after October 9, 1970 when the Lon Nol regime formally abolished the monarchy and redesignated Cambodia as the Khmer Republic. In the ensuing resistance to this change, the republicans miscalculated the traditional orientation of the Cambodian people. To the average Cambodian peasant the concept of a republic was foreign, something quite apart from the political culture they had grown up and felt comfortable with. Sihanouk's appeal as a living symbol of Khmer nationalism and unity, his connection to the people of Cambodia and their identification with him in turn, was something Sirik Matak and Lon Nol could not reproduce in their five years in power. The government of the Khmer Republic remained systemically weak and hollow as a result.

One of the major grievances precipitating the coup against Sihanouk was his soft response to the two-fold communist threat: the

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[24]Chandler, Tragedy of Cambodian History, 202.

indigenous Khmer Rouge insurgency and the de facto Vietnamese occupation of the Cambodian border areas. Sihanouk had pursued a weak policy of accommodation in his negotiation with the Red Khmers and his toleration of Vietnamese use of Cambodia as a sanctuary from the war in South Vietnam; the Lon Nol regime was determined not to make the same mistake. Beating back the communist threat became the central focus of those in power in Phnom Penh, the cause and cure of Cambodia's problems.

It must be stressed that the Khmer right made little distinction between the Vietnamese communists and the Khmer communists, the Khmer Rouge, seeing instead two sides of the same face. This perspective, simplistic and less than accurate in light of later events, is perhaps understandable given the bi-polar zero-sum ideology of the Cold War prevalent at the time. Also, in lacking the political-cultural legitimacy that Sihanouk's persona conferred, the regime saw in communism an issue exploiting the prevalent and virulent anti-Vietnamese sentiments of the populace for the purpose of rallying support for the regime. This rationale worked in the international arena as well: anti-communism was a crusade that in that era the United States eagerly supported with military and economic assistance on a massive scale.

The conflict in Cambodia escalated through the early 1970s as the government troops, renamed the Khmer National Armed Forces (*Forces Armees Nationales Khmeres* -- FANK) engaged first the North Vietnamese and Viet Cong, and later the old RAK, revitalized and renamed the Cambodian People's National Liberation Armed Forces (CPNLAF)[25]. While the conflict was nominally a civil war, from the start foreign powers played an active role with a heavy hand. Here again the common themes of Cambodian conflicts come to the fore: long-standing rivalries, alliances of convenience, foreign involvement and intervention.

Despite infusions of American funds and American bombs into Cambodia, the Khmer Republic remained a weak and hollow regime rendered ineffectual by endemic corruption and incompetence. The million dollars a day in aid going into Cambodia and the increasingly intense aerial bombardment campaign known as Arclight[26] could only

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[25]Russell R. Ross, ed., Cambodia: A Country Study, 3d ed., (Washington D.C.: US Government Printing Office, 1990), 44.

[26]United States official documents give a figure of 75,959 sorties by B-52 and
F-111 aircraft dropping a total of 539,129 tons of ordnance -- about 350 percent of the tonnage dropped on Japan during World War II. Most of the bombs fell on relatively uninhabited regions of Cambodia, although some of the most densely inhabited areas of the country, such as Siemreap and Kampong Chang provinces and the countryside surrounding Phnom Penh, were targeted and hit. Estimates of the casualties range from 30,000 to 500,000 before the missions were halted in August 1973. Russell, Cambodia: A Country Study, 46. William

buy time for the Lon Nol government. The outcome of the battle between the Khmer Republic and the Khmer Rouge-dominated GRUNK coalition was never really in doubt. The CPNLAF inexorably swept FANK from the provinces as the government collapsed upon itself in Phnom Penh. By late 1974, the Khmer Rouge had their enemies essentially bottled up in their capital. On January 1, 1975, they initiated the final dry-season offensive which culminated in the fall of Phnom Penh and the Khmer Republic on April 17, 1975.

The debt owed to the North Vietnamese by the Khmer Rouge for their efforts in Cambodia is illuminating. On the one hand, without North Vietnamese and Viet Cong assistance after the March 1970 coup, the revolutionary struggle would have dragged on much longer than it did (five years). Organized into companies, the RAK insurgent forces probably numbered somewhat less than the 4,000 regular troops and 50,000 guerrillas Pol Pot claimed. It seems certain that the RAK had neither the strength nor the armament to stand up even against the 30,000-strong ceremonial and civic action force the government

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Shawcross, Sideshow, provides a powerful insight to the havoc these missions wrought, both in Cambodia and the United States.

fielded[27]. The North Vietnamese army, in engaging FANK for the first two years after the coup, formed a shield in eastern Cambodia behind which the Khmer Rouge developed its infrastructure and the CPNLAF trained its troops.

On the other hand, from the perspective of the Khmer Rouge, the severity of the American bombings was matched only by the severity with which the Vietnamese betrayed Cambodia. The Cambodian communists had refused to participate in the Paris peace talks, preferring instead to play out their winning military hand. When North Vietnam and the United States signed the Peace Accords on January 27, 1973, bombing missions over Vietnam and Laos were supposed to be terminated. No mention was made of Cambodia, however, and the American bombing effort was freed up to concentrate its efforts on Khmer Rouge positions in Cambodia. The Khmer Rouge understandably interpreted this as yet another example of outright hostility on the part of the Vietnamese, and insensitivity on the part of the world communist movement, to the plight of the Cambodian party.

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[27]Timothy Carney, "Unexpected Victory," in Cambodia 1975-1978: Rendezvous with Death, Karl D.Jackson, ed., (Princeton NJ: Princeton University Press, 1989), 19.

Pol Pot Time[28]

For nearly all adult Cambodians, April 17, 1975, was the last day of a war and the first day of a revolution, the beginning of a strange and new Cambodia. It was on this day that the Red Khmers, the Khmer Rouge, entered Phnom Penh and announced, "We did not come here to talk. We enter Phnom Penh as conquerors."[29] The Khmer Rouge victory marked the beginning of the end of society as the Cambodian people had known it.

From this ominous beginning until December 1978, over one million[30] Cambodian people perished at the hands of the Khmer Rouge due to malnutrition, overwork, mistreatment, torture, and execution. Much has been written by scholars and journalists about the horrors and

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[28]As Cambodians struggle with an explanation for the brutal and sad tales that emerge from the period 1975-1979 when the Khmer Rouge ran their country, Pol Pot is the only answer most can come up with about who is to blame. Such an answer obscures the issue of what really happened and why in the simplicity of laying all responsibility at the feet of Pol Pot. Margaret Scott, "War and memory: Cambodians confront the legacy of the Khmer Rouge," FEER, 16 April 1992, 36.

[29]"Phnom Penh Surrenders to Rebel Forces After Cease Fire Offer is Rejected," New York Times, 17 April 1975; and "Rebels Set Up Phnom Penh Rule," New York Times, 18 April 1975.

[30]This number is simply the most common estimate by legitimate and reasonably objective sources -- various agencies have put forth estimates ranging from the low hundred thousands to three million out of a pre-war population estimated at seven and one-half million.

brutal conditions of the seemingly insane social and economic revolution the conquering Khmer Rouge imposed on the country[31]. Driven by a vision to completely re-order society and create an agrarian communistic utopia, the Khmer Rouge simply astonished the world with their single-minded determination, the lengths to which they were willing to go, to follow through on their rhetoric of curing the ills of Cambodian society. The speed and scope of the implementation of their revolution, the willingness of the Khmer Rouge to use terror and genocide as a means to achieve their ends, is horrifying and shocking by all modern standards.

The revolution's ideology was dominated by four interrelated themes: 1) total independence and self-reliance even unto extremis; 2) preservation of the dictatorship of the proletariat with terror simply as a methodology of maintaining power; 3) total and immediate economic revolution in the form of collective agrarianism; and 4) complete and immediate transformation of traditional Khmer social values -- family

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[31]For particularly excellent narratives and reporting on this era of Cambodian history, see Chandler, Tragedy of Cambodian History; William Shawcross, The Quality of Mercy: Cambodia, Holocaust and Modern Conscience (New York: Simon and Schuster, 1984); Nayan Chanda, Brother Enemy: The War After the War (San Diego: Harcourt Brace Jovanovich, 1986); Elizabeth Becker, When The War Was Over (New York: Simon and Schuster, 1986); Karl D.Jackson, ed., Cambodia 1975-1978:Rendezvous with Death (Princeton, NJ: Princeton University Press, 1989).

life, religion, work habits -- into a revolutionary morality[32]. The catch-words 'total' and 'immediate' capture the operational spirit and theme of this ideology. Heartless beyond all human compassion in the ruthlessness of its application, this ideology subjected the Cambodian people to the most intense, rapid, and far-reaching social experiment the world has ever seen. Impatience led to intolerance of "reforms" as the Khmer Rouge sought to rebuild Cambodia from the ground up. Most teachers, doctors, artists, monks, intellectuals, even those who wore spectacles were murdered in the eradication of any and all hold-over counter-revolutionary elements that might impede the revolution. The view of the Khmer Rouge as a fanatical band of neo-Maoist or Marxist killers who engineered a bizarre campaign of genocide will probably never be altered: the Khmer Rouge has never made a serious attempt to defend their actions during their three year experiment, let alone launch a counter-propaganda campaign.

The uniquely fascinating and ultimately frightening characteristic of the Khmer Rouge is the degree to which theirs remained an ideologically pure movement. Uncompromising in its determination to carry out its master plan to recreate Cambodia, even after the political

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[32]Karl D. Jackson, "Ideology of Total Revolution," in Cambodia 1975-1978: Rendezvous with Death, ed. Karl D. Jackson (Princeton, NJ: Princeton University Press, 1989), 39.

victory and the creation of Democratic Kampuchea (DK), the Khmer Rouge, however, were by no means a monolithic organization. On the eve of its 1975 victory over the Lon Nol regime, the Khmer Communist Party was quite diverse in terms of personnel, ideological viewpoints, and factional loyalties[33]. The clandestine nature of the Cambodian communist movement, taken at times to paranoid extremes, makes it difficult to pin down precisely the number and nature of the factions associated with this period[34]. Of the various factions identified in this time period, the split of interest in this discussion is the division of the Khmer Rouge into the Pol Pot and pro-Vietnamese factions.

The *Mayaguez* incident[35] had initially convinced Pol Pot and the

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[33]Russell, Cambodia: A Country Study, 63; Timothy Carney, "the Organization of Power," in Cambodia: 1975-1978, 95.

[34]Craig Etcheson, The Rise and Demise of Democratic Kampuchea (Boulder CO: Westview Press, 1984), identifies six factions; Ben Kiernan, "Pol Pot and the Kampuchean Communist Movement," in Peasants and Politics in Kampuchea, 1942-1981, eds. Ben Kiernan and Chanthou Boua (New York: M. E. Sharpe, Inc., 1982), identifies three such factions. The importance of differences of ideology in party splits should not, however, be overemphasized. Behind doctrinal differences lay the dynamics of personal rivalry and the strong sense of patron-client loyalty that has always characterized Cambodian politics. Russell, Cambodia: A Country Study, 63.

[35]On May 12,1975, an American merchant ship, the S.S. *Mayaguez* was boarded and seized by Khmer Rouge naval units protecting the island of Puolo Wai from Vietnamese encroachment. Washington declared the Mayaguez an international crisis of Cold War confrontation. Failing to receive a timely response from Phnom Penh, the US launched

DK leadership that US imperialism remained the primary threat to their revolution -- once again the Americans seemed to have bombed their country wantonly, after they had declared they would return the seized ship[36]. As the American threat faded, or rather as the Vietnamese threat emerged in the form of territorial encroachment, Cambodia's policy towards Vietnam became the major point of disagreement within the ranks of the Khmer Rouge. Pol Pot considered Vietnam to be Cambodia's main enemy, whereas his opponents, mostly cadres from the Eastern Zone[37], wished to maintain the policy of alliance and cooperation that

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bombing raids on the port of Kompong Som and the naval base at Ream, and naval gunfire barrages and a Marine assault of the island of Koh Tang. Thirty-eight American servicemen lost their lives to save the thirty-nine crewman, with most of the casualties occurring after the crew members had been released.

[36]The lines of communication between Phnom Penh and the rest of Cambodia, much less the outside world, were tenuous at best and certainly not direct. The timely ending and receiving of messages, conducting the diplomacy of responding to demands and deadlines, may have simply been beyond the capability of the Khmer Rouge. Becker, When the War was Over, 208-210.

[37]The Khmer Rouge abolished the old provinces (*khet*) and instead organized the country into seven zones and two regional-level units (*phumipeak*). These administrative units were headed by a politico-military committee appointed by the CPK. The leadership of these zones had operated more-or-less autonomously during the war and often reflected the different revolutionary background and tendencies of the cadre. The Eastern Zone, for example, was heavily staffed by old revolutionaries who had cooperated with Vietnam in the anti-French struggles of the First Indochina War and the anti-American struggle of

had characterized the relationship between the Vietnamese and Cambodian communist movements prior to victory[38].

A major change occurred in April 1976 as Pol Pot emerged as the dominant leader of the tightly disciplined *Angkar*, the Organization, that formed the vanguard of the communist party[39]. Still shrouding itself in secrecy at this time, still behaving like a party of revolution rather than a party of governance, the communist leadership began feeding upon itself. Disagreements over policy issues, particularly the Vietnamese question, turned into matters of treason and justification for execution[40]. Attempted coup d'etats and purges became the format of political dialogue in Cambodia. Torture-induced confessions, mostly ludicrous in

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the Second Indochina War. Chandler, Tragedy of Cambodian History, 266-267; Vickery, Cambodia, 1975-1982, 82-143; Carney, "The Organization of Power," in Cambodia 1975-1978, 93-94.

[38]Michael Vickery, Kampuchea: Politics, Economics and Society (London: Frances Pinter (Publishers), 1986), 34.

[39]Clark D. Neher, Southeast Asia in the New International Era (Boulder, CO: Westview Press, 1991), 180.

[40]Chandler, Tragedy of Cambodian History, 286-7.

the scope of crimes admitted to, provided fuel for the fires of angst over enemies real and imagined[41].

Even in revolutionary Democratic Kampuchea, the influence of outside players on internal politics remained a crucial factor, especially as the KCP turned on itself in purges and coups. Radicals in the Chinese Communist Party had backed the pro-Vietnamese elements of the KCP[42] because they were interested in maintaining good relations with Hanoi[43]. The arrest of the "Gang of Four" in Beijing in October 1976 led to the rise

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[41]See Chandler, Tragedy of Cambodian History, 273-318, for an excellent chapter of primary source material regarding the prison-torture-execution facility at Tuol Sleng Incarceration Center in Phnom Penh. Becker, When the War Was Over, is filled with individual stories concerning confessions and the fate of KCP members who entered Tuol Slang. The three acknowledged western experts of events at Tuol Sleng have published as follows: Stephen Heder, "Democratic Kampuchea: The Regime's Post-Mortem," Indochina Issues 13 (January 1981); David Hawk, "International Human Rights Law and Democratic Kampuchea," International Journal of Politics 16 (Fall 1986); and Timothy Michael Carney, Communist Party Power in Kampuchea (Cambodia): Documents and Discussion (Ithaca, NY: Department of Asian Studies, Cornell University, 1977).

[42]leading to two abortive coups involving Eastern Zone troops against the center led by Pol Pot in July and September 1975. Russell, Cambodia: A Country Study, 64.

[43]Etcheson, The Rise and Demise of Democratic Kampuchea; and Kiernan, in "Wild Chickens, Farm Chickens and Cormorants: Kampuchea's Eastern Zone Under Pol Pot," in Revolution and Its Aftermath in Kampuchea eds. David P. Chandler and Ben Kiernan, (New Haven: Yale University Southeast Asia Studies, 1984).

of the moderates led by Deng Xioping. Deng was inclined to be suspicious and wary of Vietnam's territorial ambitions, regarding it as an outgrowth of Soviet "hegemonism." Recognizing the geopolitical threat of having a Soviet-Vietnamese client in power in Cambodia, Deng and the newly moderate Chinese Communist Party leadership came down on the side of Pol Pot and his anti-Vietnamese supporters.

Ideologically from opposite ends of the revolutionary spectrum, the pragmatic Deng and the ultra-radical Pol Pot recognized the mutual benefit of their relationship[44]. Once again the commonly recurring theme of strange bed-fellows in search for security in the Cambodian geopolitical context is borne out. The support of China gave Pol Pot the horsepower necessary to clean house. In February 1977, the party center, led by Pol Pot and supported by Ta Mok, a strongly anti-Vietnamese party head from the Southwestern Zone, initiated a purge of the pro-Vietnamese opposition within the KCP[45]. The purges intensified following an attempted coup in August, and were to continue to the last days of the Khmer Rouge grip on power in Cambodia in January 1979.

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[44]Wayne Bert, "Chinese Policies and U.S. Interests in Southeast Asia," Asian Survey 33 (March 1993): 328.

[45]Kenneth M. Quinn, "The Pattern and Scope of Violence," in Cambodia 1975-1978:Rendezvous with Death, Karl D. Jackson, ed., (Princeton, NJ: Princeton University Press, 1989), 197-200.

The effect of the purges was to radicalize the Cambodian leadership and sow the seeds for its own destruction. More moderate Khmer communists were either liquidated in the successive rounds of purges that swept Cambodia, or were forced to flee the country given the impending threat of falling victim to one of the purges. Many of the cadre who escaped fled to Vietnam. It was these former cadre who fronted the Vietnamese invasion and occupation of Cambodia.

The Vietnamese Interregnum

Territorial relations between Cambodia and Vietnam had never historically been good. Disputes between the two go back centuries and started anew shortly after the Khmer Rouge captured Phnom Penh in 1975[46]. It was just such a dispute over possession of border-area islands in the Gulf of Thailand that provided the tinder for the *Mayaguez* incident (see note above). With Pol Pot and his anti-Vietnamese clique firmly entrenched at the head of the Phnom Penh regime in 1977, the border situation between Vietnam and Cambodia deteriorated rapidly. Socialist ideology lost out to Khmer nationalism as the Khmer Rouge leadership entertained grandiose visions of regaining territory lost to Vietnam in the distant past. Specifically, Pol Pot seemed to have his sights set on the historic Mekong Delta region of Cochinchina or

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[46]Russell, Cambodia: A Country Study, 262.

Kampuchea Krom, the area around present-day Ho Chi Minh City. This area had been lost to the Vietnamese in the seventeenth century, having been part of the ancient Khmer empire of Angkor.

Incidents of border incursions and armed skirmishes escalated along all of Cambodia's borders beginning in 1976, and especially between Khmer Rouge and Vietnamese forces as 1977 wore on. There were also incidents along the Thai and Laotian frontiers between Cambodian and local armed forces. In October 1977, border fighting had reached the point that Vietnam decided to launch a punitive campaign comprised of a force of 20,000 personnel with the aim of teaching the Khmer Rouge a lesson. In December, an additional 58,000 personnel were deployed as reinforcements as the Vietnamese encountered tenacious Khmer Rouge resistance. Following an orderly withdrawal from Cambodian territory[47], the Vietnamese leadership decided to change tactics. The Vietnamese began efforts to foment and support an internal resistance movement to the Pol Pot *Angkar* faction given the continued anti-Vietnamese belligerence in Phnom Penh[48].

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[47]Pol Pot claimed this an even greater triumph than the April 17 victory over the Lon Nol regime.

[48]Quinn, "The Pattern and Scope of Violence," in Cambodia 1975-1978, 205.

This movement was centered on the Eastern Zone among KCP members who had loyally served their party in Vietnam, for perhaps most of their adult life in many cases. Given the purges underway at the time (as noted above), it seems that the cadre in the Eastern Zone were caught between the proverbial rock and hard place. They would be damned if they did rebel against Pol Pot, and damned if they did not rebel since they would be presumed to be guilty of harboring such sympathies anyway. Given the ever-widening scope of the purges, it seemed to many only a matter of time before they would be summoned to Tuol Sleng prison or a regional facsimile. It was thus Pol Pot's fear of the Vietnamese and the resulting purges that drove many senior KCP officers to break with him and side with Vietnam[49]. It is ironic that Pol Pot's Vietnamese paranoia would become a self-fulfilling prophesy of insurrection originating among those cadres with an affinity for the Vietnamese.

In May 1978, So Phim, a long-time rival to Pol Pot, first vice-president of the presidium and member of the KCP Political Bureau, led an uprising in the Eastern Zone. The revolt failed and resulted in massive retaliation by Pol Pot and his Southwestern henchmen. As many

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[49]Quinn, "The Pattern and Scope of Violence," in Cambodia 1975-1978, 207.

as 100,000 people in the Eastern Zone, political cadres, "new people[50]," and ethnic Vietnamese residents -- labeled people with "Khmer bodies but Vietnamese minds" -- were liquidated or were deported to face certain death in other parts of the country. In November, Vorn Vet, second vice premier and head of the special Phnom Penh capital zone, pro-Vietnamese leader, led another coup attempt that failed. With tens of thousands Cambodian exiles seeking sanctuary on Vietnamese territory, the Vietnamese announced the formation of the Kampuchean National United Front for National Salvation (KNUFNS) on December 3, 1978. A heterogenous mix of dogs and cats, communist and non-communist exiles, who shared an antipathy to the Pol Pot regime, this group mirrored previous Cambodian resistance groups in being strange bed-fellows brought together by common aversions rather than common interests. It also maintained commonality in being wholly dependent on an external power, Vietnam in this case, for support and survival.

Cambodian aggressiveness in the border areas finally surpassed the Vietnamese threshold of tolerance for challenges to its territorial

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[50]The terms "new people" or "April 17 people" were used to identify those who had been living in cities and towns on April 17, 1975. People so identified were marked for punishment for presumably "betraying" the revolution unlike the "old people" or "base people" who had lived in the countryside and supported the Red Khmers. Chandler, The Land and People of Cambodia, 2-3.

integrity[51]. The tenure of Pol Pot's grip on Cambodia ended with the launching on December 25, 1978 of the Vietnamese invasion of Cambodia. An overwhelming force of 120,000 Vietnamese troops supported by a lesser Khmer force of three regiments swept through Cambodia in two weeks to capture Phnom Penh on January 7, 1979. A new administration, the People's Republic of Kampuchea (PRK), was set up a few days later in Phnom Penh under Vietnamese supervision. This government was headed by Heng Samrin, a former Khmer Rouge division commander who had fled to Vietnam when his faction was overpowered by that of Pol Pot[52]. The rest of the new government consisted largely of Cambodian's who had defected from the DK after 1976 or had spent many years of their lives serving in Vietnam.

The invasion succeeded in its intent to overthrow Democratic Kampuchea, but only insofar as pushing the Khmer Rouge out of the cities and into the forests and jungles of the Thai border areas. From new jungle hideouts and mountain lairs, Pol Pot and the Khmer Rouge regrouped and re-established an insurgency against the regime in power as they had done against Lon Nol and the republicans in the late 1960s.

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[51]Stephen J. Solarz, "Cambodia and the International Community," Foreign Affairs 69 (Spring 1990), 102.

[52]Neher, Southeast Asia in the New International Era, 181.

The end of Democratic Kampuchea's tenure in Phnom Penh failed to spell the coming of peace; civil war continued to rage as a Khmer Rouge dominated coalition of Cambodian forces fought to resist the Vietnamese-installed Heng Samrin regime[53]. Stalemate, a permanent state of insecurity as the government fought a low-intensity conflict, set in as the insurgency was unable to topple the PRK regime, and the PRK regime was unable to eradicate the insurgency.

[53]By 1986 Heng Samrin had become little more than a figurehead as chief of state; Hun Sen, prime minister and foreign minister, has emerged as the leading figure in the PRK (later the State of Cambodia [SOC]). Neher, Southeast Asia in the New International Era, 184.

IV. THE CONFLICTS TO BE RESOLVED (1979-1991)

A. ENTANGLING WEBS OF INTERNATIONAL ASSISTANCE

By the end of 1979, the Vietnamese and their Cambodian surrogates in the PRK were firmly in control of the country[54]. The presence of Vietnam's 150,000-170,000-man army of occupation ensured control of the major population centers and most of the countryside. The population at large offered little resistance to the invaders having been rendered weak and weary during three years of Khmer Rouge-sponsored terror and totalitarian revolution[55]. Many Cambodians welcomed the Vietnamese, as they had welcomed the Khmer Rouge in 1975, with stunned relief and hopes that peace and stability would accompany the new regime.

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[54]Nayan Chanda makes a rather compelling case for the hypothesis that the complete seizure of Cambodia by Vietnam may have been the result of strategic opportunism. Spectacular military successes and the rapid crumbling of Phnom Penh's defenses outstripped the Vietnamese ability to fully take up the reins of government due to uncharacteristically poor or non-existent advanced planning. Thus, it was not until late in the year that Vietnam had consolidated its hold on Cambodia. Chanda, Brother Enemy, 345-347.

[55]David Joel Steinberg, ed., In Search of Southeast Asia: A Modern History (Honolulu: University of Hawaii Press, 1987), 382.

As with the Khmer Rouge in 1975, however, the Vietnamese were to disappoint hopes for an end to the political woes of Cambodia. Peace and stability continued to elude Cambodia as the invasion and occupation unleashed a new round of conflict. For anti-Vietnamese critics of the new regime, the inauguration of the PRK opened a new colonial era for Cambodia, a period of Vietnamese overlords and governments-in-exile. For anti-Communist opponents, the new regime represented a renewed commitment to a socialism that many Khmer believed had been discredited or overtaken by events past[56]. The change of leadership in Phnom Penh meant a shuffling of the conflicting factions into new alliances of convenience and expediency, but no real change for Cambodia as a country embroiled in a civil war. In this civil war, the particularly Cambodian themes of foreign influence and intervention, and of politico-military alliances based upon common aversions rather than common interests, continued to play themselves out in the Cambodian context.

The Khmer Rouge was supported logistically by China and Thailand as they took up a guerrilla resistance movement based in remote areas of northwestern Cambodia. Other anti-Vietnamese non-communist resistance groups (NCR's), one made up of former Lon Nol

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[56]Chandler, Tragedy of Cambodian History, 313.

republicans under Son Sann and another of royalists following Prince Sihanouk, were supported by the United States. Featuring their own military factions, these groups took up the fight (at least nominally) against the Vietnamese and their PRK puppets. Tortuous negotiations that began in 1979 finally bore fruit as these three groups joined together in the anti-Vietnamese cause to form the tripartite Coalition Government of Democratic Kampuchea (CGDK) in June 1982. Presenting a resolute and determined opposition, Cambodia in time became Vietnam's Vietnam, a quagmire of low-intensity conflict requiring extensive military commitment in a time of waning Soviet support, domestic unrest, and pressing needs for economic reconstruction at home[57].

The ability of Cambodian communists and anti-communists to put aside ideological differences and mutual antagonisms in the face of an external threat to the Cambodian national identity brings to mind a similar example of disparate groups coming together in China. China was in the midst of a fierce internecine war between the Nationalists (KMT) and the Communists (CCP) when Japanese aggression erupted in

[57]Solarz, "Cambodia and the International Community," 103.

1937[58]. In the face of an external threat to China's survival, the KMT and CCP hastily concluded an uneasy alliance in common cause against the Japanese invader. The parallels between the historical example and the Cambodian case are striking in their continuity. Wary and suspicious of each other in grudging cooperation, both coalitions fought among themselves almost as often as they fought their common enemy. The question remains whether the Cambodian factions will return to warring on each other when the external player is eliminated (the Vietnam has since been supplanted by the UN in the current scenario), as in the Chinese case. This question will be returned to in a later section of this study.

B. THE REFUGEE PROBLEM

The Vietnamese invasion of 1979 sparked the beginning of one of Cambodia's most intractable problems, that of refugees and displaced persons. Rather than welcoming the Vietnamese invaders, many Cambodians chose to flee the upheaval brought about by the continuing

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[58]For a complete and authoritative discussion of the events cited in this section, see John K. Fairbank, Edwin O. Reischauer, and Albert M. Craig, eds., East Asia: Tradition and Transformation, rev. ed. (Boston: Houghton Mifflin company, 1989) 797-807, 932-940.

and widening civil war. Upwards of 400,000[59] Cambodians became displaced persons, refugees in border camps and holding areas in Thailand and other Southeast Asian countries. The more resourceful, educated, and healthy sought refuge in France, Canada, the US and other Western nations[60]. One collateral effect of this exodus,taken together with the previous efforts of the Khmer rouge to eradicate all Cambodians with an education or Western experience, was a lack of talent available to run the country. Since the Vietnamese occupation, Cambodia has been largely dependent on foreign advisers and entrepreneurs to keep the lights on and the businesses open.

William Shawcross, in his book The Quality of Mercy, examines in detail the refugee problem and relief efforts that took place in Cambodia after 1979. The refugee problem unfolded in two parts or phases. First, the renewed conflict engendered by the invasion resulted in thousands of Cambodians fleeing the violence, often swept along by remnants of the Khmer Rouge making for Thailand. second, the end of the Khmer Rouge

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[59]This number, like all demographic statistics relevant to Cambodia's past 20 years, is merely an estimate. Various sources have listed various numbers ranging from 300,000 to 800,000 persons. This number is from UNHCR sources based on the number of Cambodians that had be repatriated as part of the peace process. Nate Thayer, "Wretched of the Earth," Far Eastern Economic Review, 15 April 1993, 21.

[60]Steinberg, In Search of Southeast Asia, 382.

regime meant the end of the draconian Khmer Rouge policy of forcibly keeping the people on agrarian collectives. Hundreds of thousands of Cambodians took to criss-crossing the country seeking to reunite families, hoping to reclaim land, trying to put their lives back together. As the population flowed across the countryside like a river overflowing its banks, the 1978-79 rice harvest was largely abandoned in the fields[61]. This set the stage for massive food shortages, which in turn resulted in famine as farmers were forced to consume the rice seed necessary for later planting. Already weakened by years of overwork and malnutrition, many Cambodians, particularly the young and very old faced starvation. The international community responded with a massive relief effort. More than $400 million was provided between 1979 and 1982, with the US contributing almost a quarter of this total[62].

Shawcross is highly critical of the emergency humanitarian aid efforts administered largely through the United Nations and other international non-governmental organizations (i.e. the International Committee of the Red Cross) for their parochialism, mismanagement and sanctimonious behavior. It is Shawcross' observation that ineptitude and naivete in the application of the international assistance to people in

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[61]Chandler, The Land and People of Cambodia, 159.

[62]Sutter, The Cambodian Crisis, 15.

distress can actually reinforce the underlying causes of their despair; such was true in Cambodia as the effect of humanitarian aid was to reinforce the political stalemate between the administration in Phnom Penh and the CGDK resistance led by the Khmer Rouge[63]. Diversion of relief supplies to the warring parties allowed them to concentrate their resources on acquiring the implements of struggle and war.

C. THE COMPETING INTERNATIONAL INTERESTS

The world reacted with astonishment as the Vietnamese celebrated their success in Phnom Penh: both sides had for some time prior kept secret their escalating border disputes and clashes. The rapid crumbling of the Khmer Rouge forces resulted in a blitzkrieg-type victory caught even the Vietnamese by surprise. In short order, Vietnam had upset the geopolitical balance of power in Southeast Asia by displacing Democratic Kampuchea and establishing itself as the dominant influence in Indochina. Astonishment in the international community quickly turned into either condemnation or exultation. The contradictory reactions resulted from contending interpretations of the root causes of the conflict, which varied directly with bloc orientation and geopolitical interest. What Hanoi saw as the liberation of a socialist neighbor from a

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[63]William Shawcross, The Quality of Mercy (New York: Simon and Schuster, 1984), 414.

noxious, repressive regime, and as a necessary step in securing the integrity of its own borders, was seen in most Western nations and China as unprovoked aggression[64].

The removal of the Pol Pot regime in itself elicited very little international sympathy: stories of the massively inhumane practices of the Khmer Rouge had been trickling out of Cambodia with refugees who escaped the killing fields. With the Vietnamese propaganda blitz that followed the invasion, the trickle of stories became a flood of undeniable facts as the reign of terror perpetrated by the Khmer Rouge came to light in records written in the hand of the torturers and executioners themselves. The Khmer Rouge definitely deserved to be ousted. What served to focus world opinion against Vietnam, so crucial in its own victory against the US, was the question of its ultimate intention in installing a client regime. Vietnam elicited condemnation among its neighbors not for what it did per se, but what it might do next. Behind the boilerplate and rhetoric of respect and support for self-determination and independence, there lay pragmatic and abiding international security concerns, ambitions and interests.

Thailand, ASEAN, and the United States

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[64]Chandler, Land and People of Cambodia, 160.

Most vocal in its opposition to Vietnam's occupation of Cambodia was Thailand, which felt directly threatened in losing its traditional buffer against its historical enemy[65]. Thailand's call for Vietnam's immediate withdrawal from Cambodia was echoed by her allies in the Association of Southeast Asian Nations (ASEAN)[66], Indonesia, Malaysia, the Philippines, and Singapore[67]. ASEAN was motivated to condemn the Vietnamese presence due to the perceived implications the Cambodian conflict had for the wider regional security environment. The Vietnamese invasion ended ASEAN's hope for peace and stability after the US disengagement in Indochina, seeing instead the door re-opened to increased Great Power rivalry in the region. Vietnam's actions threatened ASEAN's policy of not allowing one country to intervene in the internal affairs of another country in the region; its goal was to prevent a Vietnamese success in Cambodia by withholding recognition of the PRK

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[65]Thailand shares a very permeable 500 mile border with Cambodia. Besides regarding Cambodia as a buffer against Vietnam, Thailand views the richly forested regions of northern Cambodia and the gem-filled areas of southwestern Cambodia as lucrative economic resources not to be lost to rivals.

[66]"Joint Statement by ASEAN Foreign Ministers, January 12, 1979," text given by Bangkok radio as reported by Foreign Broadcast Information Service in Daily Report: Asian and Pacific, January 15, 1979, A-1.

[67]Brunei joined ASEAN in 1984.

(thus legitimating it) and applying diplomatic and economic pressure on Hanoi to quit Cambodia.

The United States concurred with Thailand's insistence on the need for an immediate Vietnamese withdrawal from Cambodia, yet lacked the credibility and political will to do much about it. Suffering from a tentativeness born of pessimism and self-doubt, what has since been labelled "Vietnam-syndrome,"[68] the US chose to follow ASEAN's diplomatic lead on Cambodia, playing instead a supporting role. As the diplomatic effort shifted to the world stage, the US backed the request by Democratic Kampuchea (now a government-in-exile) for an emergency meeting of the United Nations Security Council to take up the issue of Vietnamese aggression. The US complied with the ASEAN strategy of in keeping Vietnam isolated from the world market economy of Western investment and economic aid. Although it had never recognized Democratic Kampuchea when the Khmer Rouge was in power, and while it certainly decried the Khmer Rouge's deplorable record of human rights violations, the US eventually fell into a policy of indirectly supporting the Khmer Rouge in providing what it termed non-lethal aid to the tune of $5 million a year to the anti-Vietnamese resistance. As seen with humanitarian assistance, non-lethal aid allowed the protagonists to shift

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[68]"Ending America's Vietnam Syndrome," Far Eastern Economic Review, 7 January 1993, 5.

resources to lethal venues. Like the CGDK NCR members, the US was drawn in not by ideology, but by its aversion to an old enemy, Vietnam.

China

Vietnam's taking of Cambodia eliminated China's only ally in Southeast Asia. China had backed the Khmer Rouge, albeit somewhat reluctantly, primarily as a counter-balance to the increasing Soviet presence in Indochina. Throughout the early 1970s, Beijing's foreign policy was predicated on resisting Soviet "encirclement," expansion of its influence on China's southern periphery[69]. Given Vietnam's historical enmity towards China, and its entry into the Soviet orbit, it took no great leap of paranoia for China to construe Vietnam's invasion and occupation of Cambodia as an attempt to establish an Indochinese Federation[70] as a surrogate for Soviet "hegemonism."

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[69]Robert S. Ross, "China and the Cambodian Peace Process: The Value of Coercive Diplomacy." Asian Survey 31 (December 1991), 1171.

[70]This charge grew out statements variously attributed to Ho Chi Minh regarding an "age old dream" for an Indochinese federation [lower case "f"]. It was publicly feared, largely for propaganda purposes of depicting Vietnam as an imperialist, that it putting into play a grand scheme. This allegation enjoyed wide play and acceptance in Southeast Asia; the explanation that Vietnam was merely acting to end the atrocities being carried out in Cambodia simply could not be taken at face value. Most analysts have since dismissed the Federation factor as an irredentist myth useful in mobilizing the nationalistic impulses in a population against a common enemy. For a discussion focused specifically on this nationalistic myth, see David C. Harrison, "Indochina: The Federation Factor." M.A. thesis, Naval Postgraduate

China's response to the Vietnamese invasion was a bit more comprehensive and to the point than ASEAN's call for consultations in the UN. Beijing pursued a multi-lateral and multi-faceted course of action combining diplomatic, economic, and military policy instruments to achieve the political end of ensuring a minimal adversarial power on its periphery[71]. China initially pursued a military demonstration and began massing men and material along its southern border. In February 1979, 250,000 Chinese troops invaded northern Vietnam with the aim of teaching Vietnam "necessary lessons."[72] After three weeks spent destroying most of the Vietnamese villages within twenty miles of the border, and suffering heavy losses in the process, the Chinese declared their point made and withdrew their troops. Although a giant in size and power, China was, however, unable to achieve militarily its objective of forcing the Vietnamese out of Cambodia, and so realize its strategic goal of establishing itself as the regional authority in Southeast Asia.

School, 1982.

[71]Ross, "China and the Cambodian Peace Process," 1170-1172.

[72]Teng Hsiao-ping [Deng Xioping], from a statement given in Washington D.C. as reported by Eileen Teltsch, "Vietnamese Seek 'Appropriate Measures' by U.N.," New York Times, 18 February 1979.

Vietnam

On the face of it, Vietnam's supporters celebrated the liberation of the Khmer people from a repressive regime described officially in the PRK literature as the "genocidal regime of the Pol Pot/Ieng Sary clique."[73] The noxious nature of the Khmer Rouge was emphasized, their deviation from human decency and standards of civilized behavior.The Khmer patriots founding the PRK were celebrated for establishing a peaceful, independent, democratic, and nonaligned Cambodia that could resume the advance towards scientific socialism.

In a gratuitous bit of revisionism, the Vietnamese presented the conflict in Cambodia as having originated in a domestic power struggle between rival factions: the Khmer Rouge faction were a faction led by Pol Pot that had been ousted by a Cambodian National Liberation Front that came later to be known as the PRK. Hanoi rejected the contention that it was a direct party to the Cambodian conflict, arguing instead that its deployment of troops were in accordance with a security treaty signed in 1979 with the Front. While disavowing a direct role in the conflict, Vietnam acknowledged the wider geopolitical dimensions of the Cambodian situation. In this context Vietnam argued that its troops

[73]Chandler, Tragedy of Cambodian History, 312.

served as a counter to the threat of Chinese expansionism, basically taking the world view and turning it around.

Soviet Bloc

In reality the Vietnamese invasion laid bare the hollowness of communist ideology and its anti-imperialism message in overrunning a socialist comrade-in-arms. In provoking a red-on-red engagement, Vietnam essentially dispelled the myth of Marxist-Leninist solidarity that had formed the bedrock of its appeal as an alternative movement to exploitative capitalism in less developed countries. The Vietnamese occupation instead served to highlight the Sino-Soviet split, the internecine hegemonic rivalry in the international communist movement. The pattern of diplomatic recognitions of the new state of the People's Republic of Kampuchea reflected this state of affairs of Great Power rivalry. In rapid succession after Vietnam established a PRK foreign ministry under a thirty year-old former Khmer Rouge cadre named Hun Sen, the Soviet Union, various Marxist-Leninist states in the Soviet bloc, India and other developing countries in the Soviet orbit formally established relations with the PRK.

Impasse

By January 1980, a diplomatic stalemate had emerged as twenty-nine countries recognized the regime in power in Phnom Penh, the PRK,

as the legitimate government of Cambodia, while nearly eighty continued to recognize the regime in exile, Democratic Kampuchea, as the legitimate state in principle[74]. With neither regime able to defeat the other on the battlefield, attention was focused on the UN as a forum for resolution of the dispute. Over Soviet objection, Prince Sihanouk was allowed to address the Security Council in January 1979. Speaking from the Khmer Rouge perspective, but also as Cambodia's former monarch and symbol of unity, the prince charged the Vietnamese with naked aggression against Cambodia. In an emotional appeal, Sihanouk called upon the Security Council to condemn Hanoi's interference in Cambodia's internal affairs and establishment of a puppet regime. Despite stirring up much outrage in the international forum, Sihanouk's efforts were for naught. Dispute over which delegation should occupy Cambodia's seat in the UN General Assembly, that of the Khmer Rouge or the one sent by the PRK, resulted in a diplomatic stalemate. The stalemate created by this dispute effectively rendered the UN unable to effect any diplomatic resolution to the conflict in Cambodia

While charge and counter-charge went back and forth in the UN, the Chinese began what Stephen Solarz, then Chairman of the House Subcommittee on Asian and Pacific Affairs, termed moral cynicism in

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[74]Russell, Cambodia: A Country Study, 191.

supplying arms and supplies to the exiled leaders of the Khmer Rouge to restore the balance of power[75]. In this pragmatic effort to prop up the Khmer Rouge resistance, the Chinese were actively assisted by the Thais who provided logistical support in the form of transport, food and shelter. The US, then undergoing a pro-Chinese/anti-Vietnamese phase of its foreign policy, gave its tacit approval to the Thai and Chinese efforts to support an insurgency; indeed the US furthered these efforts in the form of imposing an effective aid and trade embargo against Vietnam. As will be shown later in this paper, it was this economic facet of the Chinese strategy that eventually brought around the Vietnamese to the negotiating table in earnest. But this was not to happen for ten years. The end result for Cambodia of the military and diplomatic impasses, the failure of the quick solutions, was the completion of the setting of the stage for another prolonged period of foreign occupation and civil war.

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[75]Solarz, "Cambodia and the International Community," 102.

V. THE INTERNATIONAL SOLUTION

On 23 October 1991, an agreement was signed in Paris that constituted a commitment by the signatories to a political settlement process designed to achieve a resolution of the Cambodian conflict. A collection of three Agreements and attendant Annexes, the document signed in Paris was entitled "Agreements on a Comprehensive Political Settlement of the Cambodia Conflict[76]," hereafter referred to simply as the Agreements. The parties to the Agreements were the four warring Cambodian factions (State of Cambodia, Khmer Rouge, Son Sann's KPNLF, and Sihanouk's FUNCINPEC[77]); the regional powers with vested interests in the conflict (Vietnam, China, and Thailand); and other concerned or interested countries including the United States, Soviet Union, France, Japan, India, and eleven others. The accord's intent on one level was to bring to an end the 14-year civil war that has plagued Cambodia since the Vietnamese invasion and occupation in late 1978. On another, it was

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[76]United Nations, Agreements on a Comprehensive Political Settlement of the Cambodian Conflict, document A/46/608, S/23177, 23 October 1991.

[77]These acronyms and groups will be defined and discussed below.

to create a Cambodia at peace, with a pluralized political system and prospects for a viable economy[78]

A. THE INTERNATIONAL VIEW OF THE CONFLICT

Great Power Involvement

The "Big Picture" interpretation of the 1978 Vietnamese invasion of Cambodia has been that of a proxy war fought by surrogates of China and junior partners of the Soviet Union. As mentioned above, China began actively and exclusively supporting the Pol Pot regime in 1977 against fears of a Soviet-Vietnamese client state coming to pass in Cambodia. The low-intensity intra-party struggle fought between Pol Pot and the Eastern Zone cadres raised the specter in Beijing's mind that a less-than-independent regime in Phnom Penh could constitute a competitive or antagonistic Vietnamese-cum-Soviet presence in a region China regarded as its own exclusive sphere of influence[79]. China's support of the Khmer Rouge represented a pragmatic compromise

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[78]Frederick Z. Brown, "Cambodia in 1992: Peace in Peril." Asian Survey 32 (January 1992), 83.

[79]Robert G. Sutter, "China's Strategy Toward Vietnam and its Implications for the United States," in The Third Indochina Conflict, ed. David W.P. Elliot (Boulder, CO: Westview Press, 1981), 165.

between ideology and geopolitical interest[80]. The Chinese recognized Pol Pot and the Khmer Rouge as sonofabitchs, but they were China's sonofabitchs.

For its part, the Soviet Union had long viewed China as its primary geopolitical rival. Continued support for the Vietnamese in its Indochinese ventures meant an opportunity for the Soviets to gain a foothold in Southeast Asia, a region in which they had not historically enjoyed tremendous influence. An Indochina dominated by a strong Soviet client, Vietnam, would challenge China on her southern border, in and of itself a good thing in the zero-sum mentality of the time. Furthermore, such a challenge would occupy China's attention and energies, and so would tend to dissipate the threat that China represented to Soviet interests in other parts of the world.

Vietnam was firmly entrenched in the Soviet sphere of influence at the time, having formalized the bilateral relationship with a Treaty of Friendship and Cooperation in November 1978. Vietnam also regarded China as its principal enemy having been invaded, conquered, and colonized by China for over 1000 years[81]. The cultural and national

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[80]Wayne Bert, "Chinese Policies and U.S. Interests in Southeast Asia," Asian Survey 33 (March 1993), 328.

[81]Steinberg, In Search of Modern Asia, 69.

identity of the Vietnamese people was forged largely in the process of resisting Chinese domination[82]. Given such historic-emotional predispositions, Vietnam interpreted China's actions in Indochina as the resumption of a traditionally imperialistic foreign policy, fraternal communist ideology notwithstanding. Proof of China's antagonistic intent lay in its support for what Vietnam viewed as an aggressive and malevolent Khmer Rouge. Vietnam therefore presented its invasion and occupation of Cambodia as a precautionary defensive measure against Chinese expansionism. As Michael Leifer points out, however, the true heart of the matter between Hanoi and Beijing "has been whether the balance of power in Indochina should be more favorable to Chinese or Vietnamese interests."[83]

The Conflicts Behind the Battles

The civil war in Cambodia that began with the Vietnamese occupation resulted in a military stalemate between two basic sides: on one was the Vietnamese backed government-in-power in Phnom Penh known as the People's Republic of Kampuchea (PRK), political precursor

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[82]Gareth Porter, "Vietnamese Policy and the Indochina Crisis," in The Third Indochina Conflict, ed. David W.P.Elliot (Boulder, CO: Westview Press, 1981), 71.

[83]Michael Leifer, "Power-sharing and Peacemaking in Cambodia?" SAIS Review 12 (Winter-Spring 1992), 141

to the State of Cambodia[84]; on the other was a nominal coalition of three groups formed in 1982 under the rubric Coalition Government of Democratic Kampuchea (CGDK)[85]. The CGDK was a disparate group which included royalists (FUNCINPEC), republican elites (KPNLF), and radical socialists (Khmer Rouge). The CGDK members were often at odds with one another, but managed to hold things together well enough to earn wide international recognition and continued occupation of Cambodia's seat at the United Nations[86]. The CGDK had very little in common besides their opposition to the SOC, their exile status, and their support by outside actors. In Cambodia, however, "common enemies" is a common virtue, and a firm enough basis for an alliance of mutual benefit.

Behind these two sides were the international actors, external players whose roles were forged in super-power and Cold War competitions for security. Acting through internal players, relegating themselves as much as possible to the indirect means of using

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[84]The PRK became known as the State of Cambodia (SOC) in 1989 as the regime sought to distance itself from the socialist movement connotations of the name "Kampuchea."

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[86]Robert G. Sutter, The Cambodian Crisis and U.S. Policy Dilemmas (Boulder, CO: Westview Press, 1991), 23.

Cambodian front men, the external powers have directed much of the latest conflict in a manner bringing to mind the Japanese *Bunraku* puppet genre. Garbed in black, yet in full view, the puppeteers direct the action of the play bringing it off with the help of an audience trained not to be distracted by their presence. Acceptance of the applicability of this imagery to the Cambodian situation has powerful implications for the construction and development of a premise for an appropriate international solution. Ideology, despite rhetoric to the contrary, has never truly been an issue in the motivation behind the involvement of such puppeteers. The only consistent theme to the actions of the foreign powers vis-a-vis Cambodia has been pragmatic self-interest in the search for security, or at least to promote the insecurity of one's rivals[87]. Conflict has been spilling over into the Cambodian sideshow from the regional stage of Southeast Asia since the 1970s.

In this simplified conceptualization of the forces at work in the Cambodian conflict, the two great communist powers, China and the Soviet Union, promoted a confrontation in Cambodia for the purposes of pursuing nationalistic self-interest and the hegemonic enhancement of

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[87]Nate Thayer, "Cambodia: Misperceptions and Peace." The Washington Quarterly 14 (Spring 1991), 180.

their influence in the region[88]. Cambodia and Vietnam, aspiring regional hegemons themselves, are essentially seen as pawns in the game of rivalry between the great powers. Historical precedent, the abiding enmity between the Khmer and Vietnamese peoples, suggest that many more factors were at work in the border wars than simply competition between the major communist powers. While the pawns in this model certainly had their own agendas to pursue, the element perceived to be crucial in precipitating the Cambodian conflict was superpower competition played out through the support of opposing sides in a local dispute, escalating the affair into a full-blown civil war. It is this element of the conflict's causal chain that the international solution addresses in the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict.

B. THE DYNAMICS OF A DESIRE AND SEARCH FOR PEACE

The equation of conflict behind the international approach to resolving the Cambodian conflict is one of Sino-Soviet competition for power and influence being carried out by proxies on a regional stage. Competing ideology is not an issue in the conflict, and never has been,

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[88]Robert S. Ross, "China and the Cambodian Peace Process: The Value of Coercive Diplomacy," Asian Survey 31 (December 1991), 1170-1171.

unlike in the First or Second Indochina War. Security and influence are the issues of contention in the Third Indochina War, a civil war in Cambodia involving Cambodian puppets directed by Vietnam and the Soviet Union on the one side, and a coalition of nationalist Khmer forces supported by China, Thailand, the US and other regional neighbors on the other.

Efforts on the International Periphery

The Foreign Ministers of France, interested as the former colonial power in Indochina, and Indonesia, acting as the representative of regional interests in ASEAN, co-sponsored a series of international conferences on the problem of the Cambodian civil war beginning in 1981. These negotiations continued throughout the decade, but initially made little progress beyond demonstrating an international concern for the Cambodian conflict. The pressures of the Cold War and the impetus for super-power competition were slowly easing off, however, and gradually more conciliatory attitudes began to take hold in the minds of the main players.

The long and drawn out negotiation process for peace began in New York in 1981 under the U.N. and continued there through to 1985; began again in 1987 at Paris and subsequent years; in 1988 and 1989 was

pursued by Indonesia at the two Jakarta Informal Meetings (JIM I & II)[89]. The peace conference at Paris in 1989 was the break-through in light of the attendance of the five permanent members of the Security Council, their show of determination to bring the war to a close. With the supporters and backers of the warring factions willing to compromise and discuss peace, it seemed only a matter of time until the principals could be brought to agreement as well.

End of the Impasse

A number of factors contributed to the beginnings of what was hoped would be an end to the interminable civil war in Cambodia. The continued stalemate on the battlefield convinced the parties directly involved that their respective objectives could not be achieved through military means. The last major Vietnamese offensive during the dry season of 1984-1985 ended inconclusively as CGDK forces were pushed deep into Thailand, but the insurgency continued unabated throughout PRK territory[90]. The PRK military arm had remained largely ineffectual, reliant on the Vietnamese military presence to defend itself. Despite its

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[89]For a summary of the negotiation process, see Amitav Acharya, Pierre Lizee, and Sorpong Peou, eds. Cambodia - The 1989 Paris Peace Conference, (Millwood, NY: Kraus International Publications, 1991), xxxiv-xlviii.

[90]Ibid, xxxiii.

technical and logistical superiority, however, ironically the Vietnamese army could not gain an edge sufficient to ensure a final decisive victory against an enemy who adopted tactics similar to those it used in its fight against the US. The inadequacy of the military solution to achieve resolution in the form of a victory renewed interest in negotiation as a means of resolving the conflict.

The basis of the great power rivalry and Cold War competition operational in Cambodia began breaking down with the decline of the Kremlin's propensity for foreign intervention and adventurism marked by Mikhail Gorbachev's entry into power[91]. The economic burden of maintaining an activist foreign policy caught up with the Soviet Union in the mid-1980s. Gorbachev's policy of political moderation abroad coincided with a fundamental break with past practices, a desire for improved relations with the West and a rapproachment of the Sino-Soviet relationship. With the reconciliatory reorientation of the Soviet Union's foreign policy came a decrease in support for projects such as Vietnam's occupation of Cambodia as a geopolitical thorn in rival China's side.

The same economic pressures of keeping an economy on a war footing that had contributed to the collapse of the Soviet Union led

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[91]Sutter, The Cambodian Crisis, 30.

similarly to a crumbling of Vietnam's ambitious plans to become the dominant political will in Indochina[92]. Since the February 1979 Chinese invasion, Vietnam had been forced to garrison in its northern border areas upwards of 120,000-150,000 troops in recognition of the heightened tensions with China. The Chinese build-up of a large military presence across the border formed a threat Hanoi had to honor with troop deployments of its own[93]. This counter-mobilization, intended by the Chinese to "bleed the Vietnamese white,"[94] began having its desired effect on the Vietnamese economy and political will in the late 1980s. Economic sanctions against Vietnam and Cambodia were imposed by the United States and Japan, while diplomatic pressure was orchestrated by ASEAN. The goal of this collective exercise was to impose on Hanoi an increasing strain, a strategy of attrition, which would lead it to revise its foreign policy[95].

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[92]Doubts lingered as Hanoi continued to be suspected by its neighbors of harboring long-term ambitions for hegemony. William J. Crowe, Jr., and Alan D. Romberg, "Rethinking Security in the Pacific," Foreign Affairs 70 (Spring 1991), 124.

[93]Robert S. Ross, "China and the Cambodian Peace Process," 1175.

[94]Amitav Acharya, Pierre Lizee, and Sorpong Peou, eds., Cambodia - The 1989 Paris Peace Conference, (Millwood, NY: Kraus International Publications, 1991), xlvi.

[95]Leifer, "Peacemaking in Cambodia?" 141.

Vietnam began looking for conciliatory means by which it could extricate itself from its isolated position vis-a-vis Western aid and investment. New cooperation came forth on the sensitive POW/MIA issue in order to improve relations with the US[96], along with an increasingly reasonable attitude towards negotiation and cooperation in Cambodia as well[97]. The complete breakdown of the Soviet Union in the late 1980s further eroded Vietnam's ability to maintain a position in Cambodia. The loss of Soviet support, combined with its own continuing economic woes, ultimately led Vietnam to publicly announce in 1988 the withdrawal of their occupying forces from Cambodia[98]. The Vietnamese troop withdrawal in September 1989[99] marked the removal of a major

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[96]Richard Sammon, "No Proof That Prisoners Remain inSoutheast Asia, Panel Finds," Congressional Quarterly, 16 January 1993, 138-139.

[97]Sutter, The Cambodian Crisis, 28-30.

[98]Stephen J. Solarz, "Cambodia and the International Community," Foreign Affairs 69 (Spring 1990), 103.

[99]In testimony before a House Subcommittee, Assistant Secretary of State Richard H. Solomon stated that the Vietnamese left in place 5,000-10,000 military advisors after their publicized withdrawal. Also, the Vietnamese have sent across the border at various times military units to participate in engagements in support of Phnom Penh [SOC] forces. Solomon goes on to estimate "a significant Vietnamese presence in the country." Congress, House, Subcommittee on East Asian and Pacific Affairs, Effects on the Continued Diplomatic Stalemate in Cambodia, 102nd Cong., 1st sess., 11 April 1991, 23-24.

hurdle in the on-going international effort to achieve an end to the civil war that had been plaguing Cambodia since its invasion and occupation.

Such reconciliatory initiatives on the part of Vietnam relieved the competitive pressure put on China along her southern border. China responded to the dissipation of the Soviet-Vietnamese threat to the south by signalling a willingness to withdraw aid from the insurgent Khmer Rouge in their battle against the Phnom Penh government[100]. The Khmer Rouge had consistently proven to be a willful client, resistent to restraint by Beijing, and the Chinese harbored no especial affinity for this group of dyed-in-the-wool avowed Maoists. The retrenchment of Soviet foreign policy and the later collapse of the Soviet Union eased Chinese concerns about the threat of the Russian Bear to the north. Historic Chinese fears of Russian encirclement abated, at least for the time being.

Like Vietnam, China also had in conjunction with these external events an internal situation that motivated an interest in displaying a newly reasonable attitude towards negotiation and cooperation in Cambodia as well. Still smarting from the diplomatic isolation that came as a result of the Tiananmen Square massacres in 1989, China sought to adopt a more conciliatory and liberal attitude in her foreign

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[100]Wayne Bert, "Chinese Policies and U.S. Interests in Southeast Asia," 328.

policy as a counter-balance to a stricter, hard-line domestic policy[101]. More importantly, however, the Chinese had shifted its goals in Indochina, and were more interested in the of the approachment of the Sino-Soviet relationship than the continuance of the Sino-Khmer entente. Withdrawal of support for the Khmer Rouge was part of China's concessions in this direction[102].

Finally, with the perception of a communist threat in Asia at last ebbing, and with the healing that comes with time, the US moved ever closer to a rapproachment with Vietnam, towards a re-engagement in Southeast Asia and a closing of its most painful chapter in the Cold War[103]. The balances of power and competition in the world had changed sufficiently that the time seemed right for all the external players to begin seeking a way out of Cambodia.

Consensus Among the Perm Five

Several of the members of the Perm Five (the five permanent members of the United Nations Security Council: the United States, France, Britain, the Soviet Union, and China) had supported opposing

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[101]Elizabeth Becker, "Cambodia: Laboratory for U.N. Dreams and Ambitions," International Herald Tribune, 21 October 1991.

[102]Wayne Bert, "Chinese Policies and U.S. Interests in Southeast Asia," Asian Survey 33 (March 1993), 328-330.

[103]"Ending America's Vietnam Syndrome," FEER, 7 January 1993, 5.

sides in the various wars that had afflicted Cambodia; working together they had the power and influence to end the outside intervention that was thought to have sparked and fueled the conflict. China and the Soviet Union had provided direct aid to the belligerents, while the United States had supported third-party non-communist opposition groups and enforced severe economic and diplomatic sanctions against one of the belligerents, its former foe Vietnam. If Cambodia had been a sideshow in the 1970s, by the 1980s it had become a puppet show, a regional stage upon which super-power competition for security was played out through Cambodian surrogates.

As members of the Perm Five, the participation of the Soviet Union and China in the creation of a peace process, or at least their tacit approval of one in the form of an abeyance of a veto to council deliberations, was necessary and crucial in the working out of a Security Council draft agreement on a negotiated political settlement for Cambodia. A series of high-level discussions among the five in consultation with the UN Secretary-General were held in Paris and New York beginning in January 1990[104]. The meetings were highly visible and represented an unprecedented level of cooperation and recognition of shared interests in the Cambodian situation among the former Cold War

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[104]Sutter, The Cambodian Crisis, 42.

enemies. The Cambodian peace efforts seemed proof that the Cold War had thawed, and raised hopes that such super-power cooperation to end regional conflict could usher in a new era of world order.

After their sixth meeting of 27-28 August, the Perm Five announced an agreement on a Framework for a Comprehensive Political Settlement in Cambodia[105]. This draft agreement formed the basis of a plan presented in September to the four Cambodian parties at an informal meeting in Jakarta called by the co-coordinators of the Paris Conferences and Jakarta Meetings. The Cambodian parties accepted the framework, thereby setting the stage for the Paris Peace Conference in 1991 where the details would be elaborated[106].

The Agreement on a Comprehensive Political Settlement of the Cambodia Conflict was signed in Paris in October 1991 by all the interested and warring parties including the four Cambodian factions[107]. Peace seemed to be at hand for Cambodia at last. The Agreement invited

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[105]United Nations Security Council, Framework for a Comprehensive Political Settlement of the Cambodia Conflict, S/21689, 31 August 1990.

[106]Frederick Z. Brown, "Cambodia in 1991: An Uncertain Peace," Asian Survey 33 (January 1993), 90.

[107]Library of Congress, Congressional Research Service, The Cambodian Peacekeeping Operations: Background, Prospects and U.S. Policy Concerns, by Robert G. Sutter, CRS Report for Congress (Washington D.C.: US GPO, 1993) 2.

the UN to establish the United Nations Transitional Authority in Cambodia (UNTAC) and provide it with a Mandate as set forth in the Agreement. The Security Council draft proposal was seen as crucial to the evolution of the Cambodian equation, the moves towards a peace process. The proposed framework that formed the basis of the Paris Agreements carried great weight and influence due to its endorsement by the main great power players. The draft framework, coming as it did from on high elicited great optimism for a resolution of the conflict in Cambodia. The puppeteers had ended their fight and agreed to an end of the Cambodian conflict. Peace was expected to descend like a curtain to end the Cambodian tragedy.

C. ENTER THE UNITED NATIONS

With the end of the Cold War, the winding down of hostilities between the great powers, the world community seemed ready for an international multi-lateral organization like the United Nations to step in and provide assistance in the form of leadership and firepower in the resolution of lingering regional conflicts[108]. The Cambodian Conflict seemed the perfect vehicle for establishing UN credibility, the perfect environment for the UN to flex the muscles of its new found

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[108]Thomas R. Pickering, "The U.N. Contribution to Future International Security," Naval War College Review, 46 (Winter 1993), 95.

responsibility. Over four decades of Cold War antagonism between the great power members of the Security Council had effectively hamstrung the UN from playing any forceful role in managing international peace and security. The 279 vetoes exercised by permanent members of the Security Council speak of the deep disagreements that blocked any effective action in conflict resolution[109]. Due to superpower intransigence, the UN apparatus had been limited to providing humanitarian relief or monitoring a cease-fire in previous disputes and conflicts. In Cambodia, the cooperation of the great powers meant the UN was afforded the opportunity to move on to the more dynamic mission of peacemaking[110].

By virtue of the multi-lateral push for an accord in Cambodia, specifically the Perm Five initiatives and international deliberations on working out the terms of a peace process, the situation in Cambodia can be thought of as an Epilogue to the Cold War. As noted above, the conflict in Cambodia was thought to have grown out of Cold War confrontation, but the peace effort marked the beginnings of

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[109]Boutros Boutros-Ghali,"UN Peace-keeping in a New Era: A New Chance for Peace," The World Today 32 (April 1993), 66.

[110]Thomas G. Weiss, "New Challenges for UN Military Operations: Implementing an Agenda for Peace." The Washington Quarterly 16 (Winter 1993), 54.

collaboration between the former enemies. The formerly competing puppeteers had come full circle to cooperate in a country which had served as their proxy battlefield.

This new spirit of cooperation engendered a vision and hope for a new world order based upon peace and stability[111]. Economic and political realities dictate that such a world order be carried out and enforced on a multi-lateral basis[112]. To implement this vision, the international community has naturally turned to its United Nations.

The Cambodian peace agreement calls for a truly comprehensive UN mission comprised of military, civilian, and administrative elements to assist Cambodia in its transition from a civil-war-torn country to an independent unified state with an elected government. No small task for even an established superpower, the high-profile role of the UN envisioned in the peace agreement was of a scale and cost unprecedented for the UN at the time. Cambodia marked the emergence of the UN as a peace-builder, an organization expected to be pervasively active in Cambodian life. The envisioned United Nations effort in Cambodia aroused hopes that it might serve as a blue-print for ensuring

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[111]Boutros-Ghali,"UN Peace-keeping in a New Era," 66.

[112]Richard N. Gardner, "Practical Internationalism: The United States and Collective Security," SAIS Review 12 (Summer-Fall 1992), 38-39.

peace, and for protecting human rights in an unstable post-Cold War world.

D. THE PLAN FOR CONFLICT RESOLUTION

The ultimate goal of the three Agreements that make up the Comprehensive Political Settlement of the Cambodian Conflict is "enabling the Cambodian people to determine their own political future through free and fair elections ... in a neutral political environment with full respect for the national sovereignty of Cambodia."[113] To accomplish this worthy goal, the first of the three agreements outlines a very detailed linear plan of interrelated actions, conditions and goals that must be accomplished to prepare the ground for pluralistic democracy to take root in Cambodia. The second and third instruments deal with international commitments to protect and nurture the fledgling Cambodian government that will hopefully come of a successful completion of the political settlement process.

In their September 1990 joint communique announcing acceptance of the Perm Five framework for a political settlement of their

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[113]United Nations, Agreements on a Comprehensive Political Settlement of the Cambodian Conflict, document A/46/608, S/23177, 23 October 1991, 4. The text of the first section, the Agreement on a Comprehensive Political Settlement of the Cambodian Conflict, and its Annexes that concern the UN operations in Cambodia is reproduced in Appendix A.

civil war[114], the four Cambodian factions also stipulated their agreement to form the Supreme National Council (SNC) as the "unique legitimate body and source of authority in which, throughout the transitional period, the sovereignty, independence, and unity of Cambodia are enshrined."[115] The SNC consisted of twelve members, six representatives from the SOC and two each from the three resistance groups. The SNC, formally established in September 1990, was however unable for several months to take up a full role in the peace process due to a near-show-stopping dispute over the why and how of adding a chairman to the council. The Perm Five had indicated that Prince Sihanouk would be acceptable and desirable in this role[116]. Dispute arose when the SOC representatives argued that Sihanouk's appointment would skew the balance between the factions on the Council given Sihanouk's relationship with FUNCINPEC. The SOC wanted another seat on the SNC

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[114]Final Communique of the Meeting of the Supreme National Council of Cambodia, Pattaya, June 26, 1991.

[115]United Nations, Agreements on a Comprehensive Political Settlement of the Cambodian Conflict, S/23177, 23 October 1991, 10.

[116]United Nations Security Council, Framework for a Comprehensive Political Settlement of the Cambodia Conflict, S/21689, 31 August 1990, Section I, Paragraph 5.

or, barring that, have its leader, Hun Sen, installed in a significant position as well, perhaps as SNC Vice Chairman[117].

The leadership issue was resolved with Sihanouk renouncing his party ties and declaring his political neutrality. Sihanouk maintained that his status as the former monarch elevated him above the narrow squabbles of the factions; he was concerned only with the welfare of all Cambodia beyond factional politics. Further compromise was found in Sihanouk's taking up the helm of the SNC as President instead of Chairman, with voting rights only in event of deadlock. Such are the vagaries of Cambodian politics.

Once the SNC became operational as the embodiment of Cambodian sovereignty, it seemed that a major political breakthrough had been achieved and that national reconciliation was a true possibility. The Cambodian factions had actually agreed to a form of power sharing and pluralism[118]. In agreeing to recognize the investiture of political authority and legitimacy in the SNC, the factions seemed to have a desire to ease the conflict between them. With the issue of SNC

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[117]Congress, House, Subcommittee on East Asian and Pacific Affairs, Recent Developments in Cambodia, 101st Cong., 2nd sess., 10 December 1990, 14.

[118]This issue of power-sharing was and is a concept quite foreign to the Cambodian political mind-set. It was the unresolvability of this question that doomed the earlier 1989 Paris Peace Conference effort.

leadership issue behind them, the factions rode the crest of consensus to agree to a cease-fire, to end outside military support, to demobilize combatants, and to prepare and participate in elections as called for in the Security Council framework[119]. This round of progress set the stage for the terms of the Agreements signed in Paris in October 1991.

In a show of what appeared to be good faith in complying with the Agreements, the SNC delegated "all powers necessary" during a transitional period to the UN to ensure implementation of the Agreement. The transitional period of UN control began with the Agreements' entry into force and will terminate when a constituent assembly elected in conformity with what the Agreements call a free and fair election in a politically neutral environment has approved the new Cambodian Constitution and transformed itself into a legislative assembly. This assembly will form the basis of a democratically elected Cambodian government which will be self-determining, independent, and politically durable.

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[119]"Asia Yearbook 1991: Cambodia." Far Eastern Economic Review, January 1991, 91. See also Congress, House, Subcommittee on East Asian and Pacific Affairs, United States Policy Toward Cambodia: Prospects for a Negotiated Settlement, 101st Cong., 2nd sess., 12 September 1990, 43-56 (Appendix 1) for the text of the Perm Five Agreement.

Terms of the Paris Agreement

The plan for resolving the Cambodian civil war as outlined in the Paris Agreements is comprehensive insofar as it presents a daunting list of issues and problems to be taken up in the effort to implement a peace process. In what Brown notes to be strength and weakness, the Agreement is in some respects detailed and precise, in others vague and ambiguous[120]. What is not said in terms of enforcement and other key points is as significant as what is said in terms of programs and goals. Without this nebulous quality, Brown notes, the Agreement would never have been signed. Given wise interpretations by the UNTAC chief of mission and firm action by the UN and international community over a sustained period, peace can come about for Cambodia.

After inviting the UN to create a United Nations Transitional Authority in Cambodia (UNTAC), the Agreement in its succeeding sections calls for the withdrawal of foreign forces and verification of same; an immediate cease-fire and cessation of outside military assistance; the organization and conduct of free and fair elections in a politically neutral environment; the fostering of an environment in which human rights are respected; and the safe and dignified repatriation of Cambodian refugees and displaced persons from camps

[120]Brown, "Cambodia in 1991," 91.

along the Thai border[121]. The UNTAC Mandate foreseen in Annex 1 of the Agreement reflected these calls for action. The Mandate covers programs relating to human rights, the organization and conduct of free and fair general elections, military arrangements, civil administration, the maintenance of law and order, the repatriation and resettlement of Cambodian refugees and displaced persons, and the rehabilitation of essential infrastructures. UNTAC was essentially called upon to establish order and prepare the country for elections while keeping the people fed. Given the full factional cooperation anticipated, UNTAC's mission seemed fairly straight-forward, if difficult.

United Nations Transitional Authority in Cambodia

As a preliminary to the establishment and deployment of UNTAC, the UN Advance Mission in Cambodia (UNAMIC) was established on 16 October 1991 by the Security Council, acting on the earlier recommendation of the Secretary-General[122], in its adoption of Resolution 717 (1991). UNAMIC's mission was to assist in maintaining

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[121]This list is by no means complete as regards the provisions and provisos of the Agreement; the items listed here pertain directly to actions the UN was called upon to perform or ensure. For a complete listing of the conditions and stipulations of the Agreement, please see Appendix A.

[122]United Nations Secretary-General, Report of the Secretary-General on the Establishment of an Advance Mission in Cambodia, S/23097, 30 September 1991.

the cease-fire in Cambodia, facilitate communications between the respective military headquarters of the four Cambodian factions, and ensure liaison between the SNC and the Secretary-General.

On 8 January 1992, the Security Council adopted Resolution 745 (1992) which expanded UNAMIC's mandate to include training the civilian population on how to avoid mines and booby traps and initiated a mine-clearing program. UNAMIC became operational shortly after the signing of the Paris agreements and existed until it was absorbed into the UNTAC structure in March 1992 when UNTAC came on line.

On 19 February 1992, then Secretary-General Perez de Cuellar submitted a report to the Security Council[123] which contained an outline of the plan for operationalizing the Paris Agreements and organizing UNTAC. UNTAC was to consist of seven distinct components: human rights, electoral, military, civil administration, police, repatriation, and rehabilitation[124]. The Security Council approved the report and plan in passing Resolution 745 of 28 February 1992. In the resolution, the Security Council authorized UNTAC until the elections of May 1993. The Secretary-General estimated the cost to be some $1.9 billion, with an

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[123]United Nations Secretary-General, Report of the Secretary-General on Cambodia, S/23613, 19 February 1992.

[124]Ibid, para. 7.

additional $600 million needed for the United Nations High Commissioner for Refugees' (UNHCR) repatriation effort of over 350,000 Cambodians living in camps in Thailand[125]. The Cambodia peace process easily represents "the biggest and most complex" operation in U.N. history.

The obstacles to success that confronted UNTAC were truly formidable. UNTAC had been called upon to: create, enforce, and monitor a cease-fire in a country saturated with armaments; canton the belligerents and demobilize 70% of the troops without funding or supplies to house or feed them; monitor and in some cases to run a corrupt SOC government; repair shattered infrastructure; prepare the country intellectually and politically for free and fair elections in a political culture which knows little of pluralism or democracy; repatriate and resettle destitute Cambodians to mine-free lands and enough of a grub-stake to make a go of it until they were to become self-sufficient.

UNTAC's strength consisted of approximately 16,000 military, 3,600 police, and 2,500 civilian staff at the time of the elections of May 1993. UNTAC was headed by the Special Representative of the Secretary-General, Under Secretary-General Yasushi Akashi of Japan.

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[125]United Nations, General Assembly, UNAMIC and UNTAC. Report of the Secretary-General: Financing of the United Nations Advance Mission in Cambodia; Financing of the United Nations Transitional Authority in Cambodia. A/46/903, 7 May 1992.

E. THE PLAYERS IN THE CURRENT DRAMA

Many of the internal and regional players in the Cambodian civil war have ancient roles and grievance against each other. There is much historical baggage in the form of almost genetic memories of past wrongs to right and scores to settle that must either be put aside or accommodated if a lasting peace is be to achieved in Cambodian and Indochinese minds and hearts.

Puppeteers/External Powers

Vietnam

Vietnam's historical interest in Cambodia has been discussed above; but, Vietnam's 1978 invasion of Cambodia rekindled fears abroad of its aggressive intentions towards the rest of Southeast Asia. It was feared that Vietnam was putting into play the alleged scheme of Ho Chi Minh for an Indochinese federation. The explanation that Vietnam was merely acting to end the atrocities being carried out by the Khmer Rouge regime could not be accepted at face value[126].

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[126]Congress, House, Subcommittee on East Asian and Pacific Affairs, Effects on the Continued Diplomatic Stalemate in Cambodia, 102nd Cong., 1st sess., 11 April 1991, 26.

A more pragmatic explanation than "dreams of an Indochina Federation" deals with Vietnam's concerns regarding her age-old nemesis China. Historically the major threat for Vietnam has been from the north, from her old conqueror China. Chinese support for the Khmer Rouge, and later the CGDK resistance, seemed a deliberate move to create in Cambodia a dagger poised at Vietnam's underbelly. Given the historic Cambodian claim regarding the Mekong Delta region (that it was stolen by Vietnam)[127], the fanatically nationalistic leadership in Phnom Penh that Pol Pot and the Khmer Rouge represented, and the vast Chinese resources supporting the regime; put together these factors seemed to the Vietnamese too volatile a mixture to be left on its doorstep. The cross-border attacks Cambodia unleashed on Vietnam in the third and final phases of "Pol Pot Time" in 1977-1978 led directly to the Vietnamese response of invasion and occupation, touching off the current crisis of a 14-year-old civil war. In this scenario the question of an Indochinese Federations is superfluous.

The Soviet Union

China and the Soviet Union have both used Cambodia as a battlefield for a proxy war to play out the larger rivalry between

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[127]Abdulgaffar Peang-Meth, "Understanding the Khmer: Sociological-Cultural Observations," Asian Survey 31 (May 1991), 443. This article goes into great detail about the abiding enmities between the Vietnamese and Cambodians.

themselves. The Soviet Union, in providing direct material aid to the Vietnamese and unleashing them to occupy Cambodia to establish a dominant presence in Indochina, was attempting to threaten its own traditional enemy, China, with a new threat from the south[128].

China

China, in its involvement with the Khmer Rouge, was seeking to insure the security of its southern border in response to the initiatives of an activist Vietnam. That the Khmer Rouge subscribed to a neo-Maoist thought made the adoption of this group politically convenient is clear. However, it should be noted that in his last meeting with Pol Pot, Chou Enlai advised the Cambodian leader to proceed cautiously with his radical reform program of transforming Cambodia into a communist paradise[129]. Proselytizing ideology was clearly not on the minds of the Chinese leaders when they adopted the KR; the stability and security of its southern border and the creation of an appropriate response to the Soviet challenge was.

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[128]Sheldon W. Simon. "The Superpowers in Southeast Asia: A Security Assessment," in Southeast Asia Divided: The ASEAN-Indochina Crisis, ed. Donald E. Weatherbee (Boulder ,CO: Westview Press, 1985), 66-67.

[129]Nayan Chanda, Brother Enemy: The War After the War (San Diego: Harcourt Brace Jovanovich, 1986), 43.

Southeast Asian Neighbors

ASEAN, the Association of Southeast Asian Nations, in its aggressive initiatives for the peace process had no more of an altruistic motive than any of the superpowers. What ASEAN was concerned primarily with was a means of addressing what it perceived to be a Vietnamese expansionist threat. Like the superpowers, ASEAN was simply seeking stability and security for a region which the conflict in Cambodia continues to threaten.

The United States

The policy of the United States towards Cambodia began in the 1970s as a sideshow of the Vietnam conflict and since then has remained as such. The shift in U.S. policy advocating withdrawal of support for the insurgent CGDK in favor of the peace process in 1990 was prompted by U.S. domestic political concerns. Instead of reacting to regional interests, the Bush Administration was concerned about its exposure on the delicate issue of apparent support of the Khmer Rouge with an election coming up. In a return to a classic linkage of policy, the shift in favor of a process was also prompted by a desire to move forward on U.S.-Vietnamese relations. U.S.-Vietnamese relations had been moving forward on the basis of increased disclosure on the painful POW/MIA issue in return for withdrawal of support from the opponents of the

Phnom Penh regime. The shift in policy had nothing to with ensuring the optimum internal organization of Cambodia.

Puppets/Internal Powers

State of Cambodia

The State of Cambodia (SOC) began life as the People's Republic of Kampuchea (PRK) in January 1979 as the Vietnamese-installed puppet government following the invasion and occupation of Cambodia. Many of the leaders of the PRK were Khmer Rouge cadre who fled the organization for Vietnam to avoid the widening murderous purges conducted by Pol Pot. Pol Pot had focused the purges on members of different factions or divisions within the Kampuchean Communist Party (KCP), the parent organization of the Khmer Rouge. With the invasion and occupation of Cambodia, these Cambodian communist exiles were swept into office by the Vietnamese.

Founded as a creature of the Vietnamese, the PRK was initially closely monitored and controlled by Vietnamese "advisers." After the withdrawal of Vietnamese combat troops in September 1979, the SOC has pursued a policy course increasingly independent from its mentor[130]. This pursuit of independence culminated with the drastic change in

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[130]Central Intelligence Agency, Guide to Key Players in Cambodia, 7.

image in 1991 wherein the regime's party (Kampuchean People's Liberation Party) leadership decided to discard all of its communist trappings and instead adopt an endorsement of pluralistic democracy and calls for free and fair elections. This change also happened to coincide with the advent of the UN-sponsored peace process. Re-born as the Cambodian People's Party (CPP), this group of budding democrats and free marketers has been led by Hun Sen, the first Foreign Minister of the old PRK regime. One estranged son of Sihanouk, Norodom Chakrapong, is number two in this organization.

Prince Norodom Sihanouk

Before, during, and no doubt after this current crisis has been resolved, or more likely evolved into another form of conflict, the dominant figure has been, as in all questions of Cambodian politics, Prince Norodom Sihanouk. Installed on the throne by the French in 1941, Sihanouk has emerged as the ultimate political survivor and the ultimate symbol of Cambodian national unity. A descendant of the *deva-rajas*, Sihanouk has enjoyed a vast and continued popularity with the people of Cambodia as a living symbol of Cambodian nationalism and unity. Attached to his persona is a great deal of legitimacy for governance due to this popularity and the power of his appeal to ordinary rural Cambodians.

This attachment is all the more intriguing given Sihanouk's playboy ways, and his repeated tendencies towards political opportunism. It is just this importance as a symbol of unity for Cambodia that makes Sihanouk so important to all sides, and accounts for his physical survival. Indeed, it is this aura Sihanouk enjoys which led to his selection as the Chairman of the Supreme National Council (SNC), the sole legitimate body and source of authority in which the sovereignty, independence, and unity of Cambodia is enshrined during the transition period to national reconciliation. Sihanouk is the embodiment of the SNC, and in such an elevated role has attempted to portray a non-partisan father-figure for Cambodia.

Khmer Rouge

The Khmer Rouge, or perhaps more accurately the faction of the Kampuchean Communist Party led by Pol Pot, attempted to radically restructure Cambodian society to fit its vision of an agrarian utopia through mass killings and wholesale destruction from 1975-1979. Pushed from power by the Vietnamese invasion, the Khmer Rouge nonetheless retained much of its military power (24,000-30,000 troops[131]) and gained enough direct support from China and Thailand to carry on a guerilla

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[131]Central Intelligence Agency, Guide to Key Players in Cambodia, 13.

insurgency and civil war against the Vietnamese-backed regime, the People's Republic of Kampuchea/State of Cambodia.

The Khmer Rouge will continue to be a faction to reckon with for the foreseeable future. From its strongholds in northern and western Cambodia, it controls vast resources in the form of gems and lumber. Corrupt Thai generals provide the Khmer Rouge with a market and access to the outside world in order to purchase weapons and supplies. The Khmer Rouge are said to have cached enough ammunition with which to carry on a war for three years without re-supply. With high morale and tight discipline, its forces are by far the most effective of the nations armed forces. Furthermore, every indication points to the fact that the Khmer Rouge have yet to give up its ambition of returning to sole power in Cambodia.

Non-communist Resistance Groups

The National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC [French acronym]), was created in 1981 to represent monarchists and some traditional nationalists against the PRK. Sihanouk is considered by the U.S. and other Western powers to be the primary Cambodian leader, the only figure of stature capable of rising above Cambodia's endemic factional politics to fill the role of statesman. As such he was placed in the Chairmanship of the

SNC. Prior to Sihanouk's appointment to the chairmanship of the SNC, FUNCINPEC was accurately referred to as the "Sihanoukists." Since taking this post, Sihanouk has distanced himself from the party, turning control of it over to his son, Prince Norodom Ranariddh, in April 1990. Sihanouk's intransigence to the interests of his old party has since led to some conflicts with Ranariddh over political means and ends. Never a prominent group militarily, FUNCINPEC has supported the UN election process as a way to achieve political power.

The Khmer People's National Liberation Front (KPNLF) is the other of the two non-communist factions in the opposition. The KPNLF is a hold-over group from the days of the U.S.-backed Lon Nol regime representing right-wing political and business interests, the urban elite, and those conservatives who are opposed to Sihanouk. Headed by former-Prime Minister Son Sann and dominated by former Lon Nol military officers, the KPNLF faction has been supported by the U.S., and more recently by China. As former Lon Nol supporters, this group had grown fat and soft during the years the U.S. pumped some $4 billion into the country with no appreciable return. Splits in their top leadership between Son Sann and the head of their military arm, General Sak Sutsakhan, led to disillusionment and "spontaneous" demobilization of their forces and an overall weakening of strength. Lately, internal

conflicts and rampant corruption have severely weakened and fragmented this group's effectiveness as a political party in the UN peace process, reducing it to near obscurity.

VI. IMPLEMENTATION OF THE UNTAC MANDATE

The United Nations Transitional Authority in Cambodia (UNTAC) effort faced many obstacles, but optimism and hopes ran high, especially among ordinary Cambodians. After two decades of war and upheaval, the Cambodian people greeted the arrival of the first UN peacekeeping troops in November 1991 with undisguised joy and relief. Exuberant crowds gathered outside the gates of the peacekeepers' compound would stare at them in expectation of something good happening. Hopes grew that Cambodia was saved at last[132].

These hopes faded almost as quickly as the curiosity of the crowds as the UN deployed its troops and administrative apparatus to little effect. The verbiage and lofty goals of international diplomacy gave way to local reality as the timetable for peace ground to a halt. Frustration followed after failure as UNTAC attempted to implement the terms of the Paris Agreements. After months of making demands and threatening sanctions, all to no avail, the UN increasingly came to be viewed as a

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[132]William Branigan, "Missteps on the Path to Peace," Washington Post, 22 September 1992.

paper tiger[133]. Disillusionment set in as the UN proved not to be the panacea for which Cambodians hoped. Promised too much too quickly, the Cambodian people assumed the UN was in Cambodia to cure all the country's ills. When this did not happen, the Cambodian people reacted with anger and began blaming the UN for all their problems including rampant corruption, unsafe streets, and even traffic accidents[134].

Agreements in principle gave way to disputes in fact as the peacemaking process started and stumbled in an atmosphere of lingering hostility and hidden agendas. Suspicion and ill-will accompanied claims of malfeasance, improprieties and favoritism in UNTAC's treatment of the various factions. The UN structure itself was criticized as being too unwieldy an organization. The result has been resistance, hostility, and outright refusal on the part of the various Cambodian parties to cooperate with UNTAC. This chapter will examine those areas where the

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[133]Nate Thayer, "Moaners beware: Harassed UN reacts to negative press assessments," Far Eastern Economic Review, 5 November 1992, 27.

[134]Nayan Chanda, "Easy scapegoat: People blame the UN for all their woes," FEER, 22 October 1992, 18. This tendency of the Cambodian people to view the UN as an all-powerful entity coming in to cure all their woes is a reflection of the Khmer political culture. In this tradition, all political goods such as peace and stability are dispensed as favors from the *deva-raja*, the god-king, to the people. Failure to provide such goods are taken as a conscious act of omission, disfavor, by the authority above. Anger and resentment result not as a recognition of failure of duty per se, but from a failure of patronage. this topic will be taken up further in the next chapter.

peace process was structurally weak, and how the UN erred as the agency of implementation.

A. THE PRINCIPLES OF PEACEMAKING

In Cambodia, UN peacekeepers have been called upon to arrange the return of refugees; oversee the conduct of elections; maintain law and order; promote political dialogue; and assist with economic reconstruction and rehabilitation[135].

As the planners in the UN have pressed ahead with an ever more aggressive and ambitious approach to conflict management and conflict resolution, peacekeeping has been transformed into a much more comprehensive process that Boutros-Ghali terms peace-building[136]. Mackinley and Chopra view this transformation as a fundamental qualitative and quantitative change which they label "second generation multinational operations."[137] Despite the expanding scope of

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[135]Boutros-Ghali, "UN Peace-keeping in a New Era," 67.

[136]Ibid, 68. In this particular discussion, the term "peacemaking," which enjoys wider usage in the literature, will be used instead of Boutros-Ghali's term "peace-building."

[137]Mackinley and Chopra, "Second Generation Multinational Operations," 113-134.

responsibilities, however, the search for a just and lasting peace, a true political solution, the principles which traditionally underlay peacekeeping have not fundamentally changed. UN Secretary-General Dag Hammerskjold originally articulated peacekeeping as a provisional measure of the UN Charter[138] with three limitations which have since been consistently honored: (1) peacekeeping must be undertaken without prejudice to the rights, claims, or positions of the parties involved; (2) peacekeeping operations must have the consent of all the parties concerned; and (3) peacekeeping forces may only use arms in self-defense[139]. In other words, the UN presence was required to be to neutral, consensual, and passive.

In announcing the UN's acceptance of the Agreement's invitation to participate, then Secretary-General Perez de Cuellar stated that the effectiveness and ultimate success of the UN intervention were closely

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[138]The lack of reference to peacekeeping in the UN Charter led Hammerskjold to coin the expression "chapter six-and-a-half," an allusion to an invented bridge between Chapter VI and Chapter VII which dealt with peaceful settlement of disputes and enforcement measures respectively. Weiss, "New Challenges for UN Military Operations," 52.

[139]Bruce Russett and James S.Sutterlin, "The UN in a New World Order," Foreign Affairs 70 (Spring 1991), 70; see also John Mackinlay and Jarat Chopra, "Second Generation Multinational Operations," The Washington Quarterly 15 (Summer 1992), 114. For a discussion of peacekeeping during the Cold war, see Brian Urquhart, "Beyond the Sheriff's Posse," Survival 32 (May/June 1990): 187-223.

dependent on the complete cooperation of all the parties concerned[140]. Cooperation of the parties involved has always been a hallmark of actions undertaken by the United Nations; the organization has lacked the muscle to undertake any real missions of compulsion.

The Cambodian Peace Process has been characterized as an effort in peacemaking and nation-building, something different from what had come before. While the application areas or duties of UN involvement have expanded, the basic underlying principles of neutrality and cooperation governing UN actions have not changed, at least as far as the Cambodian case is concerned. In the concluding remarks of the report which served as the blue-print for UNTAC, Boutros-Ghali stated the four essential conditions that must be met and maintained if UNTAC is to be able to discharge its mandate effectively and with complete impartiality:

> a) First, UNTAC must at all times have the full support of the Security Council;
>
> b) Second, it must operate with the full cooperation, at all times, of the Cambodian parties and all other parties concerned;
>
> c) Third, it must enjoy full freedom of movement and communications. This should be embodied in separate status-of-mission agreements, to be concluded with the Supreme National Council and with the neighbouring States in which UNTAC may be located;

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[140]"Peace Treaty to end Cambodian conflict signed in Paris; Cease-fire agreement in effect," UN Chronicle, March 1992, 54.

d) Fourth, the necessary financial resources must be provided by Member States in full and in a timely manner.[141]

The Secretary-General's four points reiterate the need for support and especially cooperation in order to achieve successful peacemaking in Cambodia. This aspect of UN involvement has not changed. What has changed, however, is the level of initiative called for in the jump from peacekeeping to peacemaking. In the case of internal conflicts, the consistent consent of all the parties cannot be assumed and levels of military effectiveness beyond that of the traditional ad hoc UN force may be required[142]. Coercion may be a *verboten* term in UN circles, but a certain amount of forceful persuasion has been found necessary in dealing with recalcitrant parties. UN thinkers are struggling with ways to empower the UN, proposing stronger mandates and the use of force. This willingness to impose a settlement is a reflection of the enhanced level of activism engendered by the end of the Cold War, the new collegiality of the Security Council, and the hopes for a new world order[143].

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[141]United Nations Security Council, UNTAC, Report of the Secretary-General on Cambodia, S/23613, 19 February 1992, para. 172, 28-29.

[142]Thomas G. Weiss, "New Challenges for UN Military Operations: Implementing an Agenda for Peace," The Washington Quarterly 16 (Winter 1993), 54.

[143]Stedman, "The New Interventionists," 2-3.

B. UNTAC -- SUCCESS AND OTHER RESULTS

Political Neutrality

Impartiality has been the abiding appeal of the UN's participation in peacekeeping, its stock in trade so to speak in the business of mediation in international relations. Adherence to the principle of neutrality sets the UN above the conflict at hand, allowing it to play the role of umpire or referee[144]. It is this disinterested third-party characteristic that has previously made UN peacekeeping forces acceptable to all the parties engaged in conflict. Violation of the impartial role has almost invariably led in the past to peacekeepers becoming just another faction and target in the conflict at hand[145].

As the UN enters into the deeper waters of intervention in internal conflicts in the post-Cold War era, there occurs a departure from the strict impartiality of traditional peacekeeping. The UN has become involved in the resolution of "domestic" conflicts as a political midwife overseeing and facilitating the transition to democratic and pluralistic

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[144]Mackinley and Chopra, "Future Multinational Military Operations," 114.

[145]Examples of this would be what happened to the UN Operation in the Congo (ONUC) in the 1960s, and the UN Interim Force in Lebanon (UNIFIL). F. T. Liu, United Nations Peacekeeping and the Non-Use of Force. Boulder CO: Lynn Rienner Publishers, 1992, 36.

regimes[146]. This inherently entails adoption of an interest in the outcome, an agenda to pursue. "Success" in bringing off the political transformation becomes an end unto itself, and so the UN develops a vested interest of its own

Stedman takes up this issue in his article "The New Interventionists," arguing that boundaries of sovereignty and self-determination in international and internal relations have become blurred in the eyes of those seeking a new humanitarian world order[147]. As moral and humanitarian questions of responsibility and culpability direct the agenda of the world community, the UN is removed from its role of umpire or referee officiating a contest to be placed into that of a coach directing all the players of all the teams. While trying to officiate, the UN is also attempting to lead all the players towards a goal. This goal, agreed upon in principle perhaps, may not always be agreed upon in fact. Cooperation begins to break down as the players realize that the referee brought in for their pick-up game wants to play too. Crisis and impasse occurs when the coach tries to direct the players, is met with resistance and disrespect, but is unable to enforce compliance with the

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[146]Durch and Blechman, Keeping the Peace, 15.

[147]Stedman, "The New Interventionists," 3.

game-plan[148]. At this point the coach has simply become another member of a leaderless, bickering and likely to fail team. This is the current situation of UN involvement in Cambodia. The problem is lack of power and authority, a confusion of wanting the peacekeepers to perform like a coach, but behave like a referee.

This shifting of roles for the UN is highlighted in the faltering Cambodian peace process. While it is difficult to get beyond the boilerplate of UN affirmations of neutrality and impartiality. The above discussion lays out the implicit agenda of moral humanitarianism in the UNTAC Mandate. To the outside observer, this agenda seems to indicate and call for an anti-Khmer Rouge bias in the Cambodian peace process[149]. The international community, especially the US[150], has maintained a consistent rejection of any development which would promote a return to power of the Khmer Rouge in any way, shape or

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[148]See the following section on cooperation for a discussion regarding the UN as an institution requiring enforcement powers to fulfil the new roles called for in second-generation peace efforts.

[149]For an excellent discussion of anti-Khmer Rouge feelings and perceptions in the international community, see Nate Thayer, "Cambodia: Misperceptions and Peace," The Washington Quarterly 14 (Spring 1991), 179-191.

[150]Library of Congress, Congressional Research Service, The Cambodian Peacekeeping Operations: Background, Prospects and U.S. Policy Concerns, by Robert G. Sutter, CRS Report for Congress (Washington D.C.: US GPO, 1993), 9.

form[151]. The Khmer Rouge themselves have done little to mitigate international revulsion for their past misdeeds or alleviate suspicion of their current ambitions. Khmer Rouge intransigence has heightened fears of their designs for a return to singular power. Doing little to rehabilitate their image or endear themselves to UNTAC, the KR have instead lashed back at the UN and others that "they" are out to exclude and exterminate the KR to achieve the domination of the Khmer people[152]. The KR are the personification of the old psychotherapy joke: "Just because I'm paranoid doesn't mean someone isn't out to get me."

As in any stereotype or big lie, there seems to be some element or grain of truth to the Khmer Rouge's perception that someone, perhaps everyone, is out to get them. The UN has not maintained an impartial stance in the Cambodian peace process[153]; blocking the KR has been a stated policy position of many of the major endorsers of the peace plan. It seems little wonder that easy cooperation by all the parties was not quite so forthcoming.

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[151]Thayer, "Cambodia: Misperceptions and Peace," 179.

[152]A later example from what is a continual stream of accusations is Henry Kamm, "In Slap at the U.N., Khmer Rouge Charges West is Backing Vietnam," New York Times, 1 March 1993.

[153]For background on this situation, see David Roberts, "Cambodia's Uncertain Future," The Pacific Review 6 (January 1993), 71-76.

Cooperation of the Parties

The conflict in Cambodia had all three great powers and their regional allies involved in using Cambodia as a battlefield to play out their own rivalries and conflicts. The end of the Cold War removed many of the political obstacles and tensions that had contributed to or exacerbated the civil war which had broken out between factions backed and directed by foreign powers. As the East-West confrontation subsided, and the Zero-sum rivalry of China and the Soviet Union eased, and the Vietnamese backed away from regional ambitions and/or perceptions of outside threat, a spirit of compromise and consensus regarding a desire to resolve the Cambodian impasse began filtering from the top down.

The Cambodian players, who had felt no similar yearnings for political reconciliation, and had for years balked at attempts bring about negotiated settlements, succumbed to foreign pressures for peace as their mentors wielded the levers of aid and assistance to prod clients to a peaceful way of looking at the world. The agreement of the four factions on the SNC seemed to portend peace and stability for Cambodia as the UNTAC peace process was accepted and endorsed all around. With all the players agreeing to get on board, the peace plan's goals seemed attainable.

Since the Agreements were entered into force and the transition period begun in October 1991[154], developments in Cambodia have unfolded negatively despite the auspicious start. The behavior of the factions, especially the Khmer Rouge, seems to indicate that they entered into the Agreements in bad faith with no real desire for national reconciliation. This interpretation of intentions recalls the history of the factions' entry into the Agreement, of being subjected to pressure to accept by their respective backers. The KR were perhaps more noticeable in their opposition to reconciliation given their comparatively stronger ideological base than the other groups who have been characterized as fragmented, corrupt, short-term oriented, and "doctrine-less."[155] Despite their tentative agreements, all sides seemed to have entered the Agreement grudgingly as relations between the opposing sides remained acrimonious[156]. While the focus has been on the Khmer Rouge in terms of intransigence and being the all-around bad guys, the other factions, particularly the Cambodian People's Party (CPP) of the SOC, have been

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[154]UNAMIC, the advance mission for UNTAC, deployed to Cambodia in November 1991.

[155]See earlier discussion in this paper on NCRs.

[156]Far Eastern Economic Review, Asia Yearbook 1992, 94.

less than sterling in living up to the spirit, if not the letter, of the terms of the Paris Peace Agreement.

The Peace Plan Stumbles

The Khmer Rouge intransigence has been repeatedly singled out in the Secretary-General's UNTAC progress reports as a major factor in the derailing of the peace plan timetable. UNTAC had announced that Phase II of the cease-fire, the cantonment and demobilization phase, would begin on 13 June 1992. Under the plan some 200,000 soldiers and 250,000 militiamen form the four warring factions were scheduled to begin gathering in some 95 regroupment areas. According to the Paris Agreement[157], 70% of the four forces would be demobilized and the remainder would stay in the cantonments with their weapons in U.N. custody until a new government was formed after the elections.

Phase II stalled in the face of KR refusal to grant UNTAC personnel access to the areas it controlled or to commit its forces to cantonment as stipulated in the Agreement. The Khmer Rouge stalemate arose out of a dispute with the UN over verification of the withdrawal of Vietnamese troops from Cambodia. The Khmer Rouge claimed that thousands of

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[157] Agreement on a Comprehensive Political Settlement of the Cambodia Conflict: Annex 1, Section C; Annex 2.

youn[158] troops had been left behind disguised as SOC soldiers or "settlers"[159] in violation of the Paris accord requiring the withdrawal of all foreign troops[160]. Extensive efforts by U.N. forces to confirm this fact has not yielded any indications of the presence of such forces[161]. While not providing any positive proof of its own of this charge, the KR has remained hostile demanding that UNTAC in effect prove the null hypothesis in proving that there are not any Vietnamese forces left in Cambodia.

A second unreconciled grievance blocking KR cooperation with the U.N. plan as it stood was over the interpretation of the role and powers of the SNC during the transition period. The KR maintained that UNTAC's continued use of the current SOC government-in-place to

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[158]A derogatory Khmer name for the Vietnamese, meaning literally "savage." Serge Thion, "What's In a Name? It's All in How You Say It," Phnom Penh Post, 1-14 January 1993.

[159]"Asia 1993 Yearbook," FEER, 97.

[160]United Nations, Security Council, UNTAC, Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia, S/24578, 21 September 1992, para 2.

[161]Henry Kamm, "U.N. Authority Says It Has Found Only 3 Hanoi Troops in Cambodia," New York Times, 3 March 1993.

administer the country violated the Agreement[162]. One of the consistent demands of the KR through the peace negotiation process has been the call for the dismantling of the Phnom Penh regime as a precondition to cooperation; use of the Phnom Penh regime lent legitimacy to the SOC and prevented the creation of a neutral political environment[163].

As implementation of the peace plan continued to be delayed and various deadlines passed by, several sets of urgent talks and negotiations took place in Tokyo and Beijing as well as in Phnom Penh to try and resolve the KR imposed impasse. The Khmer Rouge claimed that both "violations" of the Agreements created conditions which threatened its safety and survival; until UNTAC could provide proof of the Vietnamese departure (the null hypothesis) and ensure a neutral political environment (according to the Khmer Rouge definition), the Khmer Rouge refused to lay down its arms and cooperate with any significant areas of the peace plan[164]. The KR refusal to cooperate effectively ended the cantonment, disarmament, and demobilization process as the other

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[162]United Nations, Security Council, UNTAC, Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia, S/24578, 21 September 1992, para 2.

[163]Brown, "Cambodia in 1992," 86.

[164]United Nations, Security Council, UNTAC, Report of the Secretary-General on the Implementation of Security Council Resolution 783 (1992). S/24800, 15 November 1992.

factions balked at standing down their forces while leaving the KR out there militarily intact.

A Khmer Rouge Strategy?

The clandestine nature of the Khmer Rouge and a dearth of availability of its writings makes analysis of its position and agenda a job of deduction based upon its propaganda and actions. Some analysts argue the Khmer Rouge charges may have had some element of validity to them: Assistant Secretary of State Richard H. Solomon stated in testimony before Congress in 1991 that some 5,000-10,000 Vietnamese troops were still believed to be in Cambodia[165]; Raoul Jennar, a Brussels-based consultant who monitors Cambodian affairs for the NGO Forum on Cambodia, describes an intelligence network of decommissioned Vietnamese soldiers active in Cambodia[166]. Nevertheless, Khmer Rouge protestations that it remained committed to the peace process and was simply demanding that the UN carry out its mandate aside, most observers believed that the Khmer Rouge were merely executing a tactic

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[165]U.S. Congress, House, 1991, 24.

[166]Doug Niven, "UNTAC Approach Flawed, Analyst Says," Phnom Penh Post, 29 January- 11 February 1993.

of negotiation and delay while maintaining their strategic goal of returning to sole power[167].

Nothing to Lose, Everything to Gain

The effectiveness of any peacekeeping mission requires the continuing perception by all parties that the absence of violence is in each of their respective interests[168]. In a situation such as that of a civil war, this requires some form of sanction capability or enforcement mandate. In the Cambodian case, there is little that the UN can do to the Khmer Rouge to compel compliance short of launching a punitive military operation[169]. The loss of external aid means little to a party

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[167]Brown, "Cambodia in 1992," 89. A more moderate view of the Khmer Rouge is also presented in Nate Thayer, "What Role for KR in a New Government?" Phnom Penh Post, 29 January - 11 February 1993. In this article, Thayer interprets KR internal documents to indicate a willingness to participate in a national reconciliation government. My own personal opinion is that the KR is probably somewhere in between these two views in terms of willing to work within a government for advantage while never surrendering its own autonomy.

[168]William J. Durch and Barry M. Blechman, Keeping the Peace: The United Nations in the Emerging World Order (Washington D.C.: The Henry L.Stimson Center, 1992), 10.

[169]Which would likely fail anyway given the example of the unsuccessful 13 year Vietnamese effort to eradicate the KR.

controlling vast resources in lumber and gems[170]. Even sanctions calling for a ban on the Khmer Rouge's trade would be of little value since it could not be enforced. Even if it could, it would likely have little effect anyway, so large are the stockpiles of the Khmer Rouge[171].

In terms of gaining factional cooperation in Cambodia, the foreign powers are frustrated to find they have contributed to the creation of a self-sustaining war that has taken on a life of its own. The puppeteers, having removed their black garb, find that the puppets are still acting out a drama, a conflict, of their own. The warfare pursued by the internal players in Cambodia, the hostilities released, will not disappear with the reductions of hostilities between the larger powers. In the gaining and maintaining of a constant support of all the factions, the Cambodian peace process has failed.

New World Order Goals and Aspirations, Cold War Tools and Limitations

In marking the expansion of the scope of peacekeeping beyond the parameters of the traditional Cold War-style mission, the UN effort in

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[170]It is estimated that the KR earns about Baht 200 million [US $8 million] monthly from its log trade with Thailand alone. Ken Stier, "Log rolling: Thai forestry contracts help to fund Khmer Rouge," FEER, 21 January 1993, 15.

[171]Ted Morello and Nate Thayer, "The Pol Pot trail: UN efforts to end Khmer Rouge trade likely to fail," FEER, 26 November 1992, 12; and Nayan Chanda, "Strained ties: Poor UN relations with Bangkok mar peace process," FEER, 17 December 1992, 26.

Cambodia has emerged as prototype to a second generation of UN military operations. In these second generation operations, the importance of military effectiveness grows in relation to the complexity and intensity of the operation[172]. Coming to an agreement in the first place was difficult during the Cold War era of Security Council stalemate. Now that is the easy part. The difficulty now lays in getting all the players in an expanded comprehensive effort to play by the rules, and perhaps more importantly, finding some way to discipline these players when cheating yields advantage[173].

The intransigence of the Khmer Rouge, and the UN impotence to dealing with this intransigence and hostility, points to the need for some enforcement mechanism. The ambiguity and vagaries of the Agreement that Brown alluded to as a potential strength or weakness depending on how UNTAC interpreted its Mandate[174] has come back to haunt Special Representative Yasushi Akashi and his peacemaking forces. The UN contingents remain constrained by their own cold war peacekeeping (militarily passive) rules in the field. An expansion of their role would

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[172]Mackinley and Chopra, "Future Multinational Military Operations," 117-118.

[173]Congressional Research Service, The Cambodian Peacekeeping Operations, 9.

[174]Brown, "Cambodia in 1991," 91.

require a new mandate to pursue new tactical missions[175]. This move has been blocked by middle nations who do not wish to be mired in a morass of military tasks, by peacekeeping nay-sayers who continue to hold to cold war perceptions of limitations, and by the great powers who are loath to give up authority and the option for unilateral action[176].

Lessons Learned

KR refusal to cooperate with the peace plan, and its refusal to allow UNTAC access to the approximately 15% of Cambodian territory it controlled, spelled the *de facto* doom of the Agreement from the very start. Lack of cooperation by one of the parties violated the principles by which peacekeeping had operated, and which continued to govern the UNTAC mandate as noted in the Secretary-General's report and remarks above. Besides being comprehensive and complex, Cambodia marked the charting of new waters for the UN as it entered into an internal conflict with international overtones. As the first of the "second-generation multinational military operations," UNTAC had yet to be equipped with a mandate containing a modus operandi for enforcement of its plans

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[175]Mackinley and Chopra, "Future Multinational Military Operations," 118.

[176]John Mackinley, "Toward a New Look for the UN," Providence Journal 31 (March 1992); and Carroll J. Doherty, "United Nations' Newfound Muscle Relieves, Worries Washington," Congressional Quarterly, 6 March 1993, 525.

and policies. As Brown pointed out, inclusion of such a modus vivendi would have prevented the Agreement from being approved in the first place. Ambiguity and vagueness on this point left the door open for an assertive interpretation by a strong Special Representative such as Hammarskjold's "Chapter Six-and-One-Half" invention pertaining to the UN Charter. No such "Akashi Doctrine" emerged from the headquarters of UNTAC, only threats, pleas, demands, and polite requests[177].

Numerous proposals and plans have come forth to deal with this issue. These fit more-or-less along a continuum of options ranging from creating a standing UN peacekeeping force to ignoring the problem completely. Ignoring the problem is simply not feasible given the current clamor for action in a world of New Interventionists. Neither is throwing more money at the issue: UNTAC spent $3,000 per capita in an attempt to purchase a peace for Cambodia -- to little avail. Until the international community empowers its UN with the real-world ability to see its mandates carried out as intended, the UN will remain a paper tiger subject to seeing its moral imperative and authority to make the

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[177]In response to the launching of a military assault on Khmer Rouge held provinces in February 1993 by government (SOC) forces, the Secretary-General's Special Representative "called on SOC to desist from violating the cease-fire and to exercise self-restraint." United Nations, Security Council, UNTAC, Report of the Secretary-General on the Implementation of Security Council Resolution 792 (1992), S/25289, 13 February 1993, para. 7.

world right flouted by those who seek to make it wrong. Such is the basic $2.7 billion policy lesson to be learned from UNTAC's experience in Cambodia.

VII. THE POLITICAL-CULTURAL MILIEU

The discussion of the previous chapter would seem to indicate that the breakdowns that occurred in the implementation of the Cambodian peace plan were essentially mechanical or procedural in nature. Many political scientists, observers and policy-makers point to a process purposefully left vague and ambiguous on key points of enforcement as the main culprit. They are also concerned with the UN as an institution unprepared to take the bold and decisive action necessary to turn a vague and ambiguous situation into a fait accompli of peace. Caught between the ambitions for a new world order and the limitations of old Cold War fears, UNTAC suffered from two congenital defects, inherent weakness and lofty expectations, which taken together set the peace process up for failure.

If UNTAC had been properly endowed with the mandate to enforce its policies and compel the cooperation agreed to by all the parties as specified in the terms of the peace plan, so the argument goes, Cambodia would now be enjoying the fruits of peace, stability, truth, justice, and the American Way. The prescriptions for strengthening the peacekeeping

process to turn it into a viable peacemaking process run along a continuum of organizational improvements and institutional reforms.

These scholars, politicians, and new interventionists who argue this line are idealistic in their emphasis on empowering their UN in a way that ignores or disregards the reality of the enduring internal dimensions of conflict extant in the Cambodian case. They are off the mark, however, in arguing for structural or procedural improvements of the external institution as the sole improvement needed for peacemaking to work. Granted, there are very real and debilitating flaws in the system that must be addressed before peacemaking can become a Standard Operating Procedure of the UN. But, focusing on quantitative and incremental changes in peacekeeping enforcement without taking into account the local or internal dynamic of conflict is of limited utility. The classic Area Specialist argument is applicable in this discussion on the need for a truly comprehensive understanding of the perspective and goals of a people, and the importance of an in-depth knowledge of the local political cultural milieu, in successful policy origination and implementation in the search for a resolution to the conflict in Cambodia.

The Agreements on a Comprehensive Political Settlement of the Cambodia Conflict evolved out of the initiatives of the "external factors,"

the international actors who have influenced Cambodia's descent into conflict. The thrust of the plan is narrowly focused on resolving or eliminating the international and regional pressures that have colored so much of Cambodia's contemporary history, and then providing the framework of electoral democratic pluralism within which the Cambodian nation could come together to work out their future as one people. The premise behind this approach was the idea that the external players had pressured the Cambodian puppets into conflict, and that removal of the critical factor of external pressure would result in the Cambodians getting together to launch themselves on the road to democracy. Power-sharing is a central assumption in the viability of an ultimate accord.

The pivotal theme in this chapter is that the Cambodians themselves must desire and wish for a democratic government. Political culture encompasses the history and deep-rooted attitudes, preconceptions, and values of a people that are important determinants of social and political behavior. To be successful, any negotiated peace plan must meet the criterion set by, and have the cooperation of, all the players. In Cambodia's case this means the U.N., the great powers, the neighbors, and finally the factions within must cooperate for peace.

UNTAC has failed because the Cambodians themselves failed to do their part. Look at the facts.

A. HISTORICAL ROOTS OF CONFLICT IN SOUTHEAST ASIA

Cambodia came to the attention of American policy-makers in the early 1970s when, as an off-shoot to the efforts in Vietnam, the United States actively supported the non-communist government of Lon Nol as a prop against the left-leaning Prince Sihanouk and the communist Khmer Rouge insurgents. The conflicts and disputes for territory and power in Cambodia have a much longer history than the American participation in these conflicts reflect. The warring parties struggling for dominance and survival have been grappling with each other for centuries. This background to the developments of the 1970s and 1980s leading up to the current Cambodian crisis of interminable civil war must be recognized and taken into account if a true cure to the problems of Cambodia is to be found. The historical context of the rivalries and wars of the regional players sets the tone for any dialogue necessary for a lasting and durable political solution.

The history of the peoples of Southeast Asia is one of never-ending conflict. The Chams of Vietnam, Khmers of Cambodia, the Pyus and Mons of Burma and western Thailand have been in constant struggle

with one another[178]. The important point to note is that the history of the peoples living in Southeast Asia is one of moving into new lands, working to displace the indigenous people or themselves feeling the pressure of encroaching neighbors. Competition and conflict are part and parcel of the heritage of Southeast Asia.

Cambodia

The major high points in Cambodian history are to be found in the ancient past, the Angkor period of the first millennium. It was in the ninth century that the Khmer empire of Cambodia was established by Jayavarman II. A tenth century inscription refers to the Kings of "Kambuja," the source of the name of the country. This empire rose to greatness, expanding its power and authority practicing the Indian Brahmanic cult of the *deva-raja*, or God-King[179]. It was during the reign of Suryavarman II (c.1113-c.1150) that the building of Angkor Wat began, one of the greatest buildings in the world and the enduring symbol of Cambodia to this day. Cambodians still speak with pride of the achievements and splendor of their early civilization in which art

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[178]John A. Garraty and Peter Gay, eds., The Columbia History of the World (New York: Harper and Row, 1972), 355-360.

[179]Abdulgaffar Peang-Meth, "Understanding the Khmer: Sociological-Cultural Observations," Asian Survey 31 (May 1991), 442.

and architecture flourished, irrigation networks for agriculture were built, and the people prospered.

It was during this period also that the Khmer Empire expanded through successful though costly wars against the Kingdom of Champa (the coastal Mekong Delta region south of Hue), the Annamese (present day northern Vietnam centered on Hanoi), and the Burmese. The Khmer empire ranged at its zenith from the east coast of Indochina to Burma's border in the west, and from Vientiane in Laos in the north to the Malay Peninsula in the southwest[180]. This expansion sowed the seeds for later Cambodian-Vietnamese enmity, an enmity that has continued to affect relations and color opinions to this day.

A later ruler, Jayavarman VII (1181-1219), built Angkor Thom nearby to Angkor Wat as an equally impressive testimonial to the greatness of the Khmer people and their deva-raja. While artistically a supreme achievement and a bold political statement, these temples and the long and costly wars of expansion placed an overly-heavy economic strain on the Khmer empire. This burden of pride began an era of decline from which the Khmer could not recover. Standards of living dropped, frustrations rose, and the deva-rajas grip on their empire began

[180]Peang-Meth, "Understanding the Khmer," 443.

to slip. A Mongol embassy in 1296 found Chen-la (the Khmer kingdom) much weakened by the attacks of neighboring Sukhotai.

In the end the Khmers rebelled against their God-Kings, turning instead to the imported Theravada Buddhism which made a virtue of poverty and austerity in preference to ornate and expensive temples and ceremonies. By the early fifteenth century, Angkor had been abandoned and the Cambodian kingdom barely survived. It was much reduced in size and power, and under constant threat from the Tai state of Ayuthia in the west. As a small country with weak economic, military and, political institutions surrounded by often hostile, predatory, and more powerful neighbors, Cambodia suffered for centuries from poor leadership and intense outside pressures. Despite brief periods of resurgence, Cambodia continued to decline due to encroachment from the Tai, Viet, and Lao. By the eighteenth century, Cambodia had been reduced piece-meal to approximately its present borders under a virtual joint Siamese-Vietnamese occupation. After battling their neighbors for centuries, the Cambodians succumbed to the advance of the French. The twentieth century for Cambodia can be capsulated as a constant struggle for independence against their imperial masters.

In the region of Southeast Asia, there has been an enduring atmosphere of genetic distrust and rivalry between the peoples who

inhabit the area. It is these same peoples and cultures who make up the regional actors, or puppets, in the current version of the Cambodian conflict. To resolve the Cambodian conflict requires removal of causes of conflict that have darkened the destiny of Chams, Annamese, and Thais as well as the Khmers of Cambodia. This historical view of the conflicts must be understood in seeing that the Cambodian crisis is but the latest in a series of conflicts. The sympathetic appeal Cambodia enjoys in being cast as the victim of a bullying Thailand and Vietnam is perhaps easier to reconcile and lay aside when one realizes that both Thailand and Vietnam are themselves the survivors of adversity, a harsh process of natural selection that leaves them both perhaps a bit more contentious and paranoid, certainly less inclined to peaceful and gentle ways.

B. POLITICAL CULTURAL IMPEDIMENTS TO A NEGOTIATED PEACE

In the post-World War II experience of Indochina, conflict resolution of internationally-fuelled civil wars has been achieved in only one of two circumstances: 1) where one party achieves a decisive military victory and so dictates the terms of a political settlement to its adversary; 2) or where neither party "wins" outright, but one side lacks the will to continue bearing the human and material costs of continuing

the conflict and so sues for peace in an effective defeat[181]. However, the durability of even such coerced "negotiated" resolutions to conflicts has not been a part of the political tradition and experience in Indochina; in the examples of the two circumstances of political settlement as conflict resolver described above, the final arbiter was *force majeure* as the agreements broke down and conflict re-flared. Cambodia marks an attempt at conflict resolution of a new kind, that of a genuine compromise in the form of power-sharing arrangements[182].

Attempts to reach a negotiated end to the conflict in Cambodia had previously faltered on the question of power-sharing[183]. The plan of Congressman Stephen Solarz that became the Perm Five plan, which in turn became the basis for the Agreements signed in Paris, proposed that the UN take up responsibility for the administration of Cambodia in a transition period between the signing of a political settlement and the

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[181]An example of the first type would be the decisive victory of the Viet Minh over the French at Dien Bien Phu in May 1954 which in turn shaped the political settlement reached at the Geneva Conference the following July. An example of the second would be the American public's unwillingness to sustain the human costs of the military stalemate in the Vietnam War.

[182]Michael Leifer, "Power-sharing and Peacemaking in Cambodia?" SAIS Review 12 (Winter-Spring 1992), 140.

[183]Amitav Acharya, Pierre Lizee, and Sorpong Peou, eds., Cambodia - The 1989 Paris Peace Conference, (Millwood, NY: Kraus International Publications, 1991), xlvii.

outcome of free and fair elections. The Agreement called for all the factions to recognize a Supreme National Council which would embody Cambodian political authority and legitimacy. The SNC would in turn delegate executive powers to UNTAC. The power-sharing dispute was thought to have been essentially circumvented in this arrangement, and would be resolved in the elections concluded in May 1993.

The Cambodians would not let themselves -- UNTAC's election would certainly not bring peace for Cambodia. The losing factions, especially the Khmer Rouge, would not resign themselves quietly or peacefully to defeat, and threatened to lapse back into a civil insurgency. The losing SOC threatened partition, de facto secession. In a country that has not had an election in 20 years, and in which 90% of the eligible electorate has never voted nor known democracy before, elections results would certainly not be accepted. All contestants, FUNCINPEC, SOC and the Khmer Rouge only gird themselves for future battles.

Deva-rajas

The Hindu Brahmanic cult, describing life in terms of a pyramid-like system at the top of which was the god-king or deva-raja, is another complicating cultural factor in the Cambodian situation. The deva-raja acted as an intermediary between the gods and the people at the nexus

of a social order of established and well-defined class-status-rank-role relationships[184]. In this cosmology of absolute power, the god-king is the master of all existence and all must bow to his will; the individual is an instrument serving the social order, the aims and goals of the deva-raja. This philosophical-religious influence produced active, combative, and resolute Khmer (the god-kings and his warriors) who led a populace of patient, obedient, accepting, and resolute Khmer. The effect was to impress upon Cambodian society a value and respect for authority, power and command, and a political system in which the superior/subordinate relationships are authoritarian and paternalistic[185]. The Khmer carry within them an ingrained memory of their early leadership in Southeast Asia, the capability and even invincibility of the deva-rajas who took their people to such heights.

In the social order of the deva-raja's universe, and in the predatory geopolitical environment that characterized Southeast Asia (and still does), there was no place for complacency, accommodation, or conciliation[186]. The god-king by nature does not negotiate nor placate, but instead seeks gain through domination and recognition of his

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[184]Peang-Meth, "Understanding the Khmer," 445.

[185]Ibid, 447.

[186]Ibid, 447.

absolute authority. Questions of honor and personal, as in just about all Asian societies, are of extraordinary importance. Political positions and stands become matters of honor and face. In the world of the deva-raja wherein compromise is a form of surrender and yielding diminishes honor[187].

Loyalty and allegiance come from the bottom up based not on ideals or concepts, but upon simple power relationships attached to the persona of the deva-raja and other leaders. Patronage and the dispensing of the favors from above have created a system in which the Khmer attach authority and legitimacy to individuals whom they owe loyalty and allegiance. As seen in the case of the Khmer empire, the bond of loyalty lasts so long as the needs of the followers are perceived to be properly fulfilled. In times of need, of danger and insecurity, the obligation of loyalty is established between the leader and followers who find their safety emanating from the power of the leader. When the leaders lose the ability to meet the needs of their people, the bonds of loyalty are broken; disappointment deteriorates into enmity and even betrayal.

Here is the source of the charisma of the ex-god-king, Norodom Sihanouk. He is still the best hop for peace and the security of the

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[187]Ibid, 449.

Cambodian people. He might even re-install himself as king and reign as an absolute despot. Certainly this seems to be his remaining goal in life[188]. But this is unlikely to occur as the monarchy has been discredited by past failures; new secular deva-rajas have appeared to rival the former monarch in competition for the leadership of Cambodia.

Cambodia is a land of cliques and factions whose members are bound by family ties, work relationships, and personal bonds of patronage and favors. It should not be surprising then that the combative and resolute characteristics of the four Cambodian factions have prevented them from truly agreeing to compromise in the peace process. The winner-take-all mentality and political culture of the Khmer deva-rajas will be difficult to supplant with a western sense of democratic pluralism. Loyalty and authority in Cambodia that have traditionally been vested in individuals will be have to be transferred to the institutions of the state if the Paris Peace Plan for a new and peaceful Cambodia is to produce a viable and functional result. A national unification of loyalties seems unlikely. Factional in-fighting and intransigence to national reconciliation based on this trait dooms the peace process in Cambodia.

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[188]Nayan Chanda and Nate Thayer,"'I want to retake power,'" FEER, 4 February 1993, 20; and Nate Thayer, "Sihanouk Poised to Take Control," Phnom Penh Post, 29 January - 11 February 1993.

C. CAMBODIAN NATIONALISM

One of the stated goals of the Agreement to end the conflict in Cambodia was to provide the framework for the fostering of a respect for human rights[189]. As a first step towards promoting and protecting human rights and fundamental freedoms in Cambodia, all the members of the SNC signed the International Covenant on Civil and Political Rights on 20 April 1992. Later came signatures of the factions on the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, and the Convention and Protocol relating to the Status of Refugees, all on 10 September 1992 at a ceremony officiated by head of UNTAC Yasushi Akashi[190]. Akashi's remarks at the ceremony were remarkably frank in stating that the UN could not instill human rights guarantees and safeguards, but only promote awareness in the hope that such knowledge would be seeds that

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[189]Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, Part III, Articles 15 and 16.

[190]Library of Congress, Congressional Research Service, United Nations Operations in Cambodia, by Lois B. McHugh, CRS Report for Congress (Washington D.C.: US GPO, 1993), 5.

might later take root and flourish in Cambodian society after the UNTAC mandate expires[191].

The Human Rights component of the UNTAC plan was primarily an effort aimed ensuring no return to the policies and practices of the past[192], which previously meant ensuring no return to the reign of terror sponsored by the Khmer Rouge during their radical experiment[193]. To that end the UN undertook, besides getting the SNC to agree to all the Conventions and Protocols listed above, to begin an extensive human rights information and education campaign and the rigorous investigation of human rights-related complaints[194]. As with all the other aspects of the UNTAC program, this one too was idealistic and has no real roots in Cambodian history.

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[191]Library of Congress, Congressional Research Service, United Nations Operations in Cambodia, by Lois B. McHugh, CRS Report for Congress (Washington D.C.: US GPO, 1993), 5.

[192]United Nations, Security Council, UNTAC, Report of the Secretary-General on Cambodia. S/23613, 19 February 1992, para. 8.

[193]Library of Congress, Congressional Research Service, The Cambodian Peacekeeping Operations: Background, Prospects and U.S. Policy Concerns, by Robert G. Sutter, CRS Report for Congress, (Washington D.C.: US GPO, 1993), 4.

[194]United Nations, Security Council, UNTAC, Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia. S/24578, 21 September 1992, para. 6.

Cambodia is a country of remarkable ethnic homogeneity. In 1962 about 80% of the population was ethnic Khmer; the remaining 20% included Chinese, Vietnamese, Cham, Khmer Loeu, and Europeans[195]. A paroxysm of anti-Vietnamese violence and murder that occurred in April 1970 led to an exodus, as did the coming to power of Pol Pot. Most of those Vietnamese who did not flee were butchered. It is now estimated that ethnic Khmers make up 90+% of the population in Cambodia. This is a solid basis for modern nationalism, but even this is no guarantee that nationalism will pave the way for a regime dedicated to the recognition of human rights. Violence is the common experience of all Cambodian factions[196].

Cambodian nationalism rests on two pillars: the memory of the Angkor times when Cambodia was the strongest power between India and

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[195]Russell R. Ross, ed., Cambodia: A Country Study, 3d ed., Area Handbook Series (Washington D.C.: Library of Congress, 1990), 83.

[196]See Nayan Chanda, "Wounds of History: Surging resentment of Vietnamese could spark new pogroms." FEER, 30 July 1992, 14-16; Nayan Chanda, "Theatre of cruelty: UN tries to protect human rights as abuses grow," FEER, 24 December 1992, 11; Tim McCarthy, "Slaughter of Vietnamese in Phum Taches was Cold and Calculated," Phnom Penh Post, 15 January 1993; Henry Kamm,"33 Vietnamese are Slain in Cambodia," New York Times, 12 March 1993 for a sampling of the persistent waves of anti-Vietnamese violence that has swept over Cambodia.

China, and the obsessive fear of its neighbors, especially Vietnam[197]. There is in the Cambodian political culture a lingering and smoldering resentment of the Vietnamese that is compelling to the Khmer beyond reason. The Khmer Rouge, despite their history of turning the gun and club against their own people, have maintained a modicum of appeal based upon their virulent anti-Vietnamese stance. Reports of violence against ethnic Vietnamese who had been living in Cambodia for generations are often met with silent nods of approval by ordinary Cambodians, most of whom harbor a deep resentment of the *yuon* (Vietnamese).

Ethnic rivalry is an issue that spawns violence and stands in the way of achieving peace. The conflict in Cambodia has very real and palpable ethno-national overtones that the U.N. peace process does not address, and hopes for a peace-loving Cambodian nations-state are dim at best. Walker Conner, Donald Horowitz, and Milton Esman[198]

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[197]Elizabeth Becker, When the War Was Over: The Voices of Cambodia's Revolution and Its People (New York: Simon and Schuster, 1986), 82-120.

[198] Walker Conner, "The Politics of Ethnonationalism," Journal of International Affairs 27 (January 1973); Milton Esman, "Political and Psychological Factors in Ethnic Conflict," in Conflict and Peacemaking in Multiethnic Societies, ed. Joseph V. Montville (Lexington, MA: Lexington Books, 1984); Donald L. Horowitz, Ethnic Groups in Conflict, (Berkeley: University of California Press, 1988). Each of these scholars have produced a prodigious amount of writings on this topic. The citations

separately but collectively identify ethno-national conflict as fundamentally emotive, passionate and irrational, simply not amenable to compromise. Working within the peacemaking process as it currently stands will not brighten the prospects a successful conclusion to the UNTAC mandate. As such, the situation in Cambodia, as in many ethnic and nationalistic and irredentist conflicts, is beyond the ken of rational choice explanations and economic cost-benefit decision-making models. Processes mean little to people who are cast in the concrete of history.

Any acceptable role model for peacemaking in a new world order must find a way of addressing problems of ethnic strife, nationalism, and political legitimacy. If Cambodia is to arrive at a political settlement, a true end to the civil war, then it must find a way internally to resolve these conflicts and the questions of its own nationalism. The Agreements on a Comprehensive Political Settlement of the Cambodia Conflict does not fill this bill nor the void in the Cambodian political culture that has created such fragmentation. Nations working through their UN can provide relief from the ills of civil war for their neighbors, but only by way of intervening in such a way as to become another faction in the civil war. Providing an army of administration or occupation without the a priori consent and desire of the parties to the conflict for

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listed here are the primary works I utilized in my research.

reconciliation is at best a band-aid and not a cure. For reason of political culture, this consent and desire simply was not there. The nagging question remains, can a civil war be resolved by outsiders?

VIII. TOWARDS A CONCLUSION

The analysis of this thesis has identified the fundamental flaws of the U.N. peace plan for Cambodia as a focus on an internationally imposed solution to a national problem entrusted to an institution without the authority necessary to enforce peace and order. The modus vivendi of the mandate creating UNTAC simply could not or did not invest it with the ability to deal with the situation of violation of the terms of the Agreement. The great powers and regional actors misjudged their role and influence in Cambodia. While it is true that the internal players in the Cambodian conflict had their superpower backers who fostered the civil war in the country, the Cambodian surrogates have proven not to be mere puppets responding to the directions of those who provided aid with strings attached. While accepting the advice and direction of the superpowers and their allies, the internal player have pursued, and continue to pursue, their own agenda of grievances and interests based upon ideology, ethnic strife, nationalism, naked competition for power, and of course historical hatreds and fears. A relaxing of tensions in the cold war superpower competition simply does

not automatically translate into a relaxing of tensions in the domestic competition in Cambodia. Draft agreements for peace from the Permanent Five on the U.N. Security Council signed by the Cambodian factions are of little value.

International efforts to coax Cambodia out to that small precarious ledge before they were ready for the leap was a set up for disaster in the face of the international community's unpreparedness to commit extensive and expensive safety nets to the venture. In trying to build a democratic state were there was no tradition of democracy, the United Nations set for themselves an impossible task.

It becomes clear, then, that restoring peace and stability and establishing democracy in Cambodia will require more than an eighteen-month lull in the fighting, a single election, and a new constitution that the United Nations can bring to the situation.

Even the delivery of these gifts is problematic as shown by recent events. The elections of May 1993 are not be a solution to Cambodia's political difficulties, although they may serve as a milestone on a longer road of development and reconciliation. Leading Cambodia down the path of democracy and self-determination has the requirement of a long-term engagement of resolve and resources. UNTAC's mission was to introduce peace and stability and a shadow of democracy to a land and

people torn by conflict, revolution, and civil war. The trust and security of the international community and the hopes and needs of the Cambodian people and others like them will demand more than illusory shadows. Whatever the future may hold, the Cambodian people will have to work out their own fate. They may choose to seek help from the outside, but they must reconcile their differences at least to the extent that they can live together in peace.

APPENDIX A

AGREEMENTS ON A COMPREHENSIVE POLITICAL SETTLEMENT OF THE CAMBODIA CONFLICT

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PARIS, 23 OCTOBER 1991

UNITED NATIONS

*T*he States participating in the Paris Conference on Cambodia, namely Australia, Brunei Darussalam, Cambodia, Canada, the People's Republic of China, the French Republic, the Republic of India, the Republic of Indonesia, Japan, the Lao People's Democratic Republic, Malaysia, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Socialist Republic of Viet Nam and the Socialist Federal Republic of Yugoslavia,

In the presence of the Secretary-General of the United Nations,

In order to maintain, preserve and defend the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia,

Desiring to restore and maintain peace in Cambodia, to promote national reconciliation and to ensure the exercise of the right to self-determination of the Cambodian people through free and fair elections,

Convinced that only a comprehensive political settlement to the Cambodia conflict will be just and durable and will contribute to regional and international peace and security,

Welcoming the Framework document of 28 August 1990, which was accepted by the Cambodian Parties in its entirety as the basis for settling the Cambodia conflict, and which was subsequently unanimously endorsed by Security Council resolution 668 (1990) of 20 September 1990 and General Assembly resolution 45/3 of 15 October 1990,

Noting the formation in Jakarta on 10 September 1990 of the Supreme National Council of Cambodia as the unique legitimate body and source of authority in Cambodia in which, throughout the transitional period, national sovereignty and unity are enshrined, and which represents Cambodia externally,

Welcoming the unanimous election, in Beijing on 17 July 1991, of H.R.H. Prince Norodom Sihanouk as the President of the Supreme National Council,

Recognizing that an enhanced United Nations role requires the establishment of a United Nations Transitional Authority in Cambodia (UNTAC) with civilian and military components, which will act with full respect for the national sovereignty of Cambodia,

Noting the statements made at the conclusion of the meetings held in Jakarta on 9-10 September 1990, in Paris on 21-23 December 1990, in Pattaya on 24-26 June 1991, in Beijing on 16-17 July 1991, in Pattaya on 26-29 August 1991, and also the meetings held in Jakarta on 4-6 June 1991 and in New York on 19 September 1991,

Welcoming United Nations Security Council resolution 717 (1991) of 16 October 1991 on Cambodia,

Recognizing that Cambodia's tragic recent history requires special measures to assure protection of human rights, and the non-return to the policies and practices of the past,

Have agreed as follows:

PART I ♦ ARRANGEMENTS DURING THE TRANSITIONAL PERIOD

SECTION I ♦ TRANSITIONAL PERIOD

Article 1 ♦ For the purposes of this Agreement, the transitional period shall commence with the entry into force of this Agreement and terminate when the constituent assembly elected through free and fair elections, organized and certified by the United Nations, has approved the constitution and transformed itself into a legislative assembly, and thereafter a new government has been created.

SECTION II ♦ UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA

Article 2 ♦ ***1)*** The Signatories invite the United Nations Security Council to establish a United Nations Transitional Authority in Cambodia (hereinafter referred to as "UNTAC") with civilian and military components under the direct responsibility of the Secretary-General of the United Nations. For this purpose the Secretary-General will designate a Special Representative to act on his behalf.

2) The Signatories further invite the United Nations Security Council to provide UNTAC with the mandate set forth in this Agreement and to keep its implementation under continuing review through periodic reports submitted by the Secretary-General.

SECTION III ♦ SUPREME NATIONAL COUNCIL

Article 3 ♦ The Supreme National Council (hereinafter referred to as "the SNC") is the unique legitimate body and source of authority in which, throughout the transitional period, the sovereignty, independence and unity of Cambodia are enshrined.

Article 4 ♦ The members of the SNC shall be committed to the holding of free and fair elections organized and conducted by the United Nations as the basis for forming a new and legitimate Government.

Article 5 ♦ The SNC shall, throughout the transitional period, represent Cambodia externally and occupy the seat of Cambodia at the United Nations, in the United Nations specialized agencies, and in other international institutions and international conferences.

Article 6 ♦ The SNC hereby delegates to the United Nations all powers necessary to ensure the implementation of this Agreement, as described in annex 1.

In order to ensure a neutral political environment conducive to free and fair general elections, administrative agencies, bodies and offices which could directly influence the outcome of elections will be placed under direct United Nations supervision or control. In that context, special attention will be given to foreign affairs, national defence, finance, public security and information. To reflect the importance of these subjects, UNTAC needs to exercise such control as is necessary to ensure the strict neutrality of the bodies responsible for them. The United Nations, in consultation with the SNC, will identify which agencies, bodies and offices could continue to operate in order to ensure normal day-to-day life in the country.

Article 7 ♦ The relationship between the SNC, UNTAC and existing administrative structures is set forth in annex 1.

SECTION IV ♦ WITHDRAWAL OF FOREIGN FORCES AND ITS VERIFICATION

Article 8 ♦ Immediately upon entry into force of this Agreement, any foreign forces, advisers, and military personnel remaining in Cambodia, together with their weapons, ammunition, and equipment, shall be withdrawn from Cambodia and not be returned. Such withdrawal and non-return will be subject to UNTAC verification in accordance with annex 2.

SECTION V ♦ CEASE-FIRE AND CESSATION OF OUTSIDE MILITARY ASSISTANCE

Article 9 ♦ The cease-fire shall take effect at the time this Agreement enters into force. All forces shall immediately disengage and refrain from all hostilities and from any deployment, movement or action which would extend the territory they control or which might lead to renewed fighting.

The Signatories hereby invite the Security Council of the United Nations to request the Secretary-General to provide good offices to assist in this process until such time as the military component of UNTAC is in position to supervise, monitor and verify it.

Article 10 ♦ Upon entry into force of this Agreement, there shall be an immediate cessation of all outside military assistance to all Cambodian Parties.

Article 11 ♦ The objectives of military arrangements during the transitional period shall be to stabilize the security situation and build confidence among the parties to the conflict, so as to reinforce the purposes of this Agreement and to prevent the risks of a return to warfare.

Detailed provisions regarding UNTAC's supervision, monitoring, and verification of the cease-fire and related measures, including verification of the withdrawal of foreign forces and the regrouping, cantonment and ultimate disposition of all Cambodian forces and their weapons during the transitional period are set forth in annex 1, section C, and annex 2.

PART II ♦ ELECTIONS

Article 12 ♦ The Cambodian people shall have the right to determine their own political future through the free and fair election of a constituent assembly, which will draft and approve a new Cambodian Constitution in accordance with Article 23 and transform itself into a legislative assembly, which will create the new Cambodian Government. This election will be held under United Nations auspices in a neutral political environment with full respect for the national sovereignty of Cambodia.

Article 13 ♦ UNTAC shall be responsible for the organization and conduct of these elections based on the provisions of annex 1, section D, and annex 3.

Article 14 ♦ All Signatories commit themselves to respect the results of these elections once certified as free and fair by the United Nations.

PART III ♦ HUMAN RIGHTS

Article 15 ♦ ***1)*** All persons in Cambodia and all Cambodian refugees and displaced persons shall enjoy the rights and freedoms embodied in the Universal Declaration of Human Rights and other relevant international human rights instruments.

2) To this end, ***a)*** Cambodia undertakes:

♦ to ensure respect for and observance of human rights and fundamental freedoms in Cambodia;

♦ to support the right of all Cambodian citizens to undertake activities which would promote and protect human rights and fundamental freedoms;

♦ to take effective measures to ensure that the policies and practices of the past shall never be allowed to return;

♦ to adhere to relevant international human rights instruments;

b) the other Signatories to this Agreement undertake to promote and encourage respect for and observance of human rights and fundamental freedoms in Cambodia as embodied in the relevant international instruments and

the relevant resolutions of the United Nations General Assembly, in order, in particular, to prevent the recurrence of human rights abuses.

Article 16 ♦ UNTAC shall be responsible during the transitional period for fostering an environment in which respect for human rights shall be ensured, based on the provisions of annex 1, section E.

Article 17 ♦ After the end of the transitional period, the United Nations Commission on Human Rights should continue to monitor closely the human rights situation in Cambodia, including, if necessary, by the appointment of a Special Rapporteur who would report his findings annually to the Commission and to the General Assembly.

PART IV ♦ INTERNATIONAL GUARANTEES

Article 18 ♦ Cambodia undertakes to maintain, preserve and defend, and the other Signatories undertake to recognize and respect, the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia, as set forth in a separate Agreement.

PART V ♦ REFUGEES AND DISPLACED PERSONS

Article 19 ♦ Upon entry into force of this Agreement, every effort will be made to create in Cambodia political, economic and social conditions conducive to the voluntary return and harmonious integration of Cambodian refugees and displaced persons.

Article 20 ♦ 1) Cambodian refugees and displaced persons, located outside Cambodia, shall have the right to return to Cambodia and to live in safety, security and dignity, free from intimidation or coercion of any kind.

2) The Signatories request the Secretary-General of the United Nations to facilitate the repatriation in safety and dignity of Cambodian refugees and displaced persons, as an integral part of the comprehensive political settlement and under the overall authority of the Special Representative of the Secretary-General, in accordance with the guidelines and principles on the repatriation of refugees and displaced persons as set forth in annex 4.

PART VI ♦ RELEASE OF PRISONERS OF WAR AND CIVILIAN INTERNEES

Article 21 ♦ The release of all prisoners of war and civilian internees shall be accomplished at the earliest possible date under the direction of the International Committee of the Red Cross (ICRC) in coordination with the Special Representative of the Secretary-General, with the assistance, as necessary, of other appropriate international humanitarian organizations and the Signatories.

Article 22 ♦ The expression "civilian internees" refers to all persons who are not prisoners of war and who, having contributed in any way whatsoever to the armed or political struggle, have been arrested or detained by any of the parties by virtue of their contribution thereto.

PART VII ♦ PRINCIPLES FOR A NEW CONSTITUTION FOR CAMBODIA

Article 23 ♦ Basic principles, including those regarding human rights and fundamental freedoms as well as regarding Cambodia's status of neutrality, which the new Cambodian Constitution will incorporate, are set forth in annex 5.

PART VIII ♦ REHABILITATION AND RECONSTRUCTION

Article 24 ♦ The Signatories urge the international community to provide economic and financial support for the rehabilitation and reconstruction of Cambodia, as provided in a separate declaration.

PART IX ♦ FINAL PROVISIONS

Article 25 ♦ The Signatories shall, in good faith and in a spirit of cooperation, resolve through peaceful means any disputes with respect to the implementation of this Agreement.

Article 26 ♦ The Signatories request other States, international organizations and other bodies to cooperate and assist in the implementation of this Agreement and in the fulfilment by UNTAC of its mandate.

Article 27 ♦ The Signatories shall provide their full cooperation to the United Nations to ensure the implementation of its mandate, including by the provision of privileges and immunities, and by facilitating freedom of movement and communication within and through their respective territories.

In carrying out its mandate, UNTAC shall exercise due respect for the sovereignty of all States neighbouring Cambodia.

Article 28 ♦ 1) The Signatories shall comply in good faith with all obligations undertaken in this Agreement and shall extend full cooperation to the United Nations, including the provision of the information which UNTAC requires in the fulfilment of its mandate.

2) The signature on behalf of Cambodia by the members of the SNC shall commit all Cambodian parties and armed forces to the provisions of this Agreement.

Article 29 ♦ Without prejudice to the prerogatives of the Security Council of the United Nations, and upon the request of the Secretary-General, the two co-Chairmen of the Paris Conference on Cambodia, in the event of a violation or threat of violation of this Agreement, will immediately undertake appropriate consultations, including with members of the Paris Conference on Cambodia, with a view to taking appropriate steps to ensure respect for these commitments.

Article 30 ♦ This Agreement shall enter into force upon signature.

Article 31 ♦ This Agreement shall remain open for accession by all States. The instruments of accession shall be deposited with the Governments of the French Republic and the Republic of Indonesia. For each State acceding to the Agreement it shall enter into force on the date of deposit of its instruments of accession. Acceding States shall be bound by the same obligations as the Signatories.

Article 32 ♦ The originals of this Agreement, of which the Chinese, English, French, Khmer and Russian texts are equally authentic, shall be deposited with the Governments of the French Republic and the Republic of Indonesia, which shall transmit certified true copies to the Governments of the other States participating in the Paris Conference on Cambodia, as well as the Secretary-General of the United Nations.

In witness whereof *the undersigned Plenipotentiaries, being duly authorized thereto, have signed this Agreement.*

Done *at Paris this twenty-third day of October, one thousand nine hundred and ninety-one.*

ANNEX 1 ♦

UNTAC MANDATE

♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦

SECTION A ♦ GENERAL PROCEDURES

1 ♦ In accordance with Article 6 of the Agreement, UNTAC will exercise the powers necessary to ensure the implementation of this Agreement, including those relating to the organization and conduct of free and fair elections and the relevant aspects of the administration of Cambodia.

2 ♦ The following mechanism will be used to resolve all issues relating to the implementation of this Agreement which may arise between the Secretary-General's Special Representative and the Supreme National Council (SNC):

a) The SNC offers advice to UNTAC, which will comply with this advice provided there is a consensus among the members of the SNC and provided this advice is consistent with the objectives of the present Agreement;

b) If there is no consensus among the members of the SNC despite every endeavour of its President, H.R.H. Samdech Norodom Sihanouk, the President will be entitled to make the decision on what advice to offer to UNTAC, taking fully into account the views expressed in the SNC. UNTAC will comply with the advice provided it is consistent with the objectives of the present Agreement;

c) If H.R.H. Samdech Norodom Sihanouk, President of the SNC, the legitimate representative of Cambodian sovereignty, is not, for whatever reason, in a position to make such a decision, his power of decision will transfer

to the Secretary-General's Special Representative. The Special Representative will make the final decision, taking fully into account the views expressed in the SNC;

d) Any power to act regarding the implementation of this Agreement conferred upon the SNC by the Agreement will be exercised by consensus or, failing such consensus, by its President in accordance with the procedure set out above. In the event that H.R.H. Samdech Norodom Sihanouk, President of the SNC, the legitimate representative of Cambodian sovereignty, is not, for whatever reason, in a position to act, his power to act will transfer to the Secretary-General's Special Representative, who may take the necessary action;

e) In all cases, the Secretary-General's Special Representative will determine whether advice or action of the SNC is consistent with the present Agreement.

3 ♦ The Secretary-General's Special Representative or his delegate will attend the meetings of the SNC and of any subsidiary body which might be established by it and give its members all necessary information on the decisions taken by UNTAC.

SECTION B ♦ CIVIL ADMINISTRATION

1 ♦ In accordance with Article 6 of the Agreement, all administrative agencies, bodies and offices acting in the field of foreign affairs, national defence, finance, public security and information will be placed under the direct control of UNTAC, which will exercise it as necessary to ensure strict neutrality. In this respect, the Secretary-General's Special Representative will determine what is necessary and may issue directives to the above-mentioned administrative agencies, bodies and offices. Such directives may be issued to and will bind all Cambodian Parties.

2 ♦ In accordance with Article 6 of the Agreement, the Secretary-General's Special Representative, in consultation with the SNC, will determine which other administrative agencies, bodies and offices could directly influence the outcome of elections. These administrative agencies, bodies and offices will be placed under direct supervision or control of UNTAC and will comply with any guidance provided by it.

3 ♦ In accordance with Article 6 of the Agreement, the Secretary-General's Special Representative, in consultation with the SNC, will identify which administrative agencies, bodies and offices could continue to operate in

order to ensure normal day-to-day life in Cambodia, if necessary, under such supervision by UNTAC as it considers necessary.

4 ♦ In accordance with Article 6 of the Agreement, the authority of the Secretary-General's Special Representative will include the power to:

a) Install in administrative agencies, bodies and offices of all the Cambodian Parties United Nations personnel, who will have unrestricted access to all administrative operations and information;

b) Require the reassignment or removal of any personnel of such administrative agencies, bodies and offices.

5 ♦ *a)* On the basis of the information provided in Article I, paragraph 3, of annex 2, the Special Representative of the Secretary-General will determine, after consultation with the Cambodian Parties, those civil police necessary to perform law enforcement in Cambodia. All Cambodian Parties hereby undertake to comply with the determination made by the Special Representative in this regard;

b) All civil police will operate under UNTAC supervision or control, in order to ensure that law and order are maintained effectively and impartially, and that human rights and fundamental freedoms are fully protected. In consultation with the SNC, UNTAC will supervise other law enforcement and judicial processes throughout Cambodia to the extent necessary to ensure the attainment of these objectives.

6 ♦ If the Secretary-General's Special Representative deems it necessary, UNTAC, in consultation with the SNC, will undertake investigations of complaints and allegations regarding actions by the existing administrative structures in Cambodia that are inconsistent with or work against the objectives of this comprehensive political settlement. UNTAC will also be empowered to undertake such investigation on its own initiative. UNTAC will take, when necessary, appropriate corrective steps.

SECTION C ♦ MILITARY FUNCTIONS

1 ♦ UNTAC will supervise, monitor and verify the withdrawal of foreign forces, the cease-fire and related measures in accordance with annex 2, including:

a) Verification of the withdrawal from Cambodia of all categories of foreign forces, advisers and military personnel and their weapons, ammunition and equipment, and their non-return to Cambodia;

b) Liaison with neighbouring Governments over any developments in or near their territory that could endanger the implementation of this Agreement;

c) Monitoring the cessation of outside military assistance to all Cambodian Parties;

d) Locating and confiscating caches of weapons and military supplies throughout the country;

e) Assisting with clearing mines and undertaking training programmes in mine clearance and a mine awareness programme among the Cambodian people.

2 ♦ UNTAC will supervise the regrouping and relocating of all forces to specifically designated cantonment areas on the basis of an operational timetable to be agreed upon, in accordance with annex 2.

3 ♦ As the forces enter the cantonments, UNTAC will initiate the process of arms control and reduction specified in annex 2.

4 ♦ UNTAC will take necessary steps regarding the phased process of demobilization of the military forces of the parties, in accordance with annex 2.

5 ♦ UNTAC will assist, as necessary, the International Committee of the Red Cross in the release of all prisoners of war and civilian internees.

SECTION D ♦ ELECTIONS

1 ♦ UNTAC will organize and conduct the election referred to in Part II of this Agreement in accordance with this section and annex 3.

2 ♦ UNTAC may consult with the SNC regarding the organization and conduct of the electoral process.

3 ♦ In the exercise of its responsibilities in relation to the electoral process, the specific authority of UNTAC will include the following:

a) The establishment, in consultation with the SNC, of a system of laws, procedures and administrative measures necessary for the holding of a free and fair election in Cambodia, including the adoption of an electoral law and of a code of conduct regulating participation in the election in a manner consistent with respect for human rights and prohibiting coercion or financial inducement in order to influence voter preference;

b) The suspension or abrogation, in consultation with the SNC, of provisions of existing laws which could defeat the objects and purposes of this Agreement;

c) The design and implementation of a voter education programme, covering all aspects of the election, to support the election process;

d) The design and implementation of a system of voter registration, as a first phase of the electoral process, to ensure that eligible voters have the opportunity to register, and the subsequent preparation of verified voter registration lists;

e) The design and implementation of a system of registration of political parties and lists of candidates;

f) Ensuring fair access to the media, including press, television and radio, for all political parties contesting in the election;

g) The adoption and implementation of measures to monitor and facilitate the participation of Cambodians in the elections, the political campaign and the balloting procedures;

h) The design and implementation of a system of balloting and polling, to ensure that registered voters have the opportunity to vote;

i) The establishment, in consultation with the SNC, of coordinated arrangements to facilitate the presence of foreign observers wishing to observe the campaign and voting;

j) Overall direction of polling and the vote count;

k) The identification and investigation of complaints of electoral irregularities, and the taking of appropriate corrective action;

l) Determining whether or not the election was free and fair and, if so, certification of the list of persons duly elected.

4 ♦ In carrying out its responsibilities under the present section, UNTAC will establish a system of safeguards to assist it in ensuring the absence of fraud during the electoral process, including arrangements for Cambodian representatives to observe the registration and polling procedures and the provision of an UNTAC mechanism for hearing and deciding complaints.

5 ♦ The timetable for the various phases of the electoral process will be determined by UNTAC, in consultation with the SNC as provided in paragraph 2 of this section. The duration of the electoral process will not exceed nine months from the commencement of voter registration.

6 ♦ In organizing and conducting the electoral process, UNTAC will make every effort to ensure that the system and procedures adopted are absolutely impartial, while the operational arrangements are as administratively simple and efficient as possible.

SECTION E ♦ HUMAN RIGHTS

In accordance with Article 16, UNTAC will make provisions for:

a) The development and implementation of a programme of human rights education to promote respect for and understanding of human rights;

b) General human rights oversight during the transitional period;

c) The investigation of human rights complaints, and, where appropriate, corrective action.

ANNEX 2 ◆ WITHDRAWAL, CEASE-FIRE AND RELATED MEASURES

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Article 1 ◆ Cease-fire

1 ◆ All Cambodian Parties (hereinafter referred to as "the Parties") agree to observe a comprehensive cease-fire on land and water and in the air. This cease-fire will be implemented in two phases. During the first phase, the cease-fire will be observed with the assistance of the Secretary-General of the United Nations through his good offices. During the second phase, which should commence as soon as possible, the cease-fire will be supervised, monitored and verified by UNTAC. The Commander of the military component of UNTAC, in consultation with the Parties, shall determine the exact time and date at which the second phase will commence. This date will be set at least four weeks in advance of its coming into effect.

2 ◆ The Parties undertake that, upon the signing of this Agreement, they will observe a cease-fire and will order their armed forces immediately to disengage and refrain from all hostilities and any deployment, movement or action that would extend the territory they control or that might lead to a resumption of fighting, pending the commencement of the second phase. "Forces" are agreed to include all regular, provincial, district, paramilitary and other auxiliary forces.

During the first phase, the Secretary-General of the United Nations will provide his good offices to the Parties to assist them in its observance. The Parties undertake to cooperate with the Secretary-General or his representatives in the exercise of his good offices in this regard.

3 ♦ The Parties agree that, immediately upon the signing of this Agreement, the following information will be provided to the United Nations:

a) Total strength of their forces, organization, precise number and location of deployments inside and outside Cambodia. The deployment will be depicted on a map marked with locations of all troop positions, occupied or unoccupied, including staging camps, supply bases and supply routes;

b) Comprehensive lists of arms, ammunition and equipment held by their forces, and the exact locations at which those arms, ammunition and equipment are deployed;

c) Detailed record of their minefields, including types and characteristics of mines laid and information of booby traps used by them together with any information available to them about minefields laid or booby traps used by the other Parties;

d) Total strength of their police forces, organization, precise numbers and locations of deployments as well as comprehensive lists of their arms, ammunition and equipment and the exact locations at which those arms, ammunition and equipment are deployed.

4 ♦ Immediately upon his arrival in Cambodia, and not later than four weeks before the beginning of the second phase, the Commander of the military component of UNTAC will, in consultation with the Parties, finalize UNTAC's plan for the regroupment and cantonment of the forces of the Parties and for the storage of their arms, ammunition and equipment, in accordance with Article III of this annex. This plan will include the designation of regroupment and cantonment areas, as well as an agreed timetable. The cantonment areas will be established at battalion size or larger.

5 ♦ The Parties agree to take steps to inform their forces at least two weeks before the beginning of the second phase, using all possible means of communication, about the agreed date and time of the beginning of the second phase, about the agreed plan for the regroupment and cantonment of their forces and for the storage of their arms, ammunition and equipment and, in particular, about

the exact locations of the regroupment areas to which their forces are to report. Such information will continue to be disseminated for a period of four weeks after the beginning of the second phase.

6 ♦ The Parties shall scrupulously observe the cease-fire and will not resume any hostilities by land, water or air. The commanders of their armed forces will ensure that all troops under their command remain on their respective positions, pending their movement to the designated regroupment areas, and refrain from all hostilities and from any deployment or movement or action which would extend the territory they control or which might lead to a resumption of fighting.

Article II ♦ Liaison system and Mixed Military Working Group

A Mixed Military Working Group (MMWG) will be established with a view to resolving any problems that may arise in the observance of the cease-fire. It will be chaired by the most senior United Nations military officer in Cambodia or his representative. Each Party agrees to designate an officer of the rank of brigadier or equivalent to serve on the MMWG. Its composition, method of operation and meeting places will be determined by the most senior United Nations military officer in consultation with the Parties. Similar liaison arrangements will be made at lower military command levels to resolve practical problems on the ground.

Article III ♦ Regroupment and cantonment of the forces of the Parties and storage of their arms, ammunition and equipment

1 ♦ In accordance with the operational timetable referred to in paragraph 4 of Article I of the present annex, all forces of the Parties that are not already in designated cantonment areas will report to designated regroupment areas, which will be established and operated by the military component of UNTAC. These regroupment areas will be established and operational not later than one week prior to the date of the beginning of the second phase. The Parties agree to arrange for all their forces, with all their arms, ammunition and equipment, to report to regroupment areas within two weeks after the beginning of the second phase. All personnel who have reported to the regroupment areas will thereafter be escorted by personnel of the military component of UNTAC, with their arms, ammunition and equipment, to designated cantonment areas. All Parties agree to ensure that personnel

reporting to the regroupment areas will be able to do so in full safety and without any hindrance.

2 ♦ On the basis of the information provided in accordance with paragraph 3 of Article I of the present annex, UNTAC will confirm that the regroupment and cantonment processes have been completed in accordance with the plan referred to in paragraph 4 of Article I of this annex. UNTAC will endeavour to complete these processes within four weeks from the date of the beginning of the second phase. On the completion of regroupment of all forces and of their movement to cantonment areas, respectively, the Commander of the military component of UNTAC will so inform each of the four Parties.

3 ♦ The Parties agree that, as their forces enter the designated cantonment areas, their personnel will be instructed by their commanders to immediately hand over all their arms, ammunition and equipment to UNTAC for storage in the custody of UNTAC.

4 ♦ UNTAC will check the arms, ammunition and equipment handed over to it against the lists referred to in paragraph 3. b) of Article I of this annex, in order to verify that all the arms, ammunition and equipment in the possession of the Parties have been placed under its custody.

Article IV ♦ Resupply of forces during cantonment

The military component of UNTAC will supervise the resupply of all forces of the Parties during the regroupment and cantonment processes. Such resupply will be confined to items of a non-lethal nature such as food, water, clothing and medical supplies as well as provision of medical care.

Article V ♦ Ultimate disposition of the forces of the Parties and of their arms, ammunition and equipment

1 ♦ In order to reinforce the objectives of a comprehensive political settlement, minimize the risks of a return to warfare, stabilize the security situation and build confidence among the Parties to the conflict, all Parties agree to undertake a phased and balanced process of demobilization of at least 70 per cent of their military forces. This process shall be undertaken in accordance with a detailed plan to be drawn up by UNTAC on the basis of the information provided under Article I of this annex and in consultation with the Parties. It should be completed prior

to the end of the process of registration for the elections and on a date to be determined by the Special Representative of the Secretary-General.

2 ♦ The Cambodian Parties hereby commit themselves to demobilize all their remaining forces before or shortly after the elections and, to the extent that full demobilization is unattainable, to respect and abide by whatever decision the newly elected government that emerges in accordance with Article 12 of this Agreement takes with regard to the incorporation of parts or all of those forces into a new national army. Upon completion of the demobilization referred to in paragraph 1, the Cambodian Parties and the Special Representative of the Secretary-General shall undertake a review regarding the final disposition of the forces remaining in the cantonments, with a view to determining which of the following shall apply:

a) If the Parties agree to proceed with the demobilization of all or some of the forces remaining in the cantonments, preferably prior to or otherwise shortly after the elections, the Special Representative shall prepare a timetable for so doing, in consultation with them;

b) Should total demobilization of all of the residual forces before or shortly after the elections not be possible, the Parties hereby undertake to make available all of their forces remaining in cantonments to the newly elected government that emerges in accordance with Article 12 of this Agreement, for consideration for incorporation into a new national army. They further agree that any such forces which are not incorporated into the new national army will be demobilized forthwith according to a plan to be prepared by the Special Representative. With regard to the ultimate disposition of the remaining forces and all the arms, ammunition and equipment, UNTAC, as it withdraws from Cambodia, shall retain such authority as is necessary to ensure an orderly transfer to the newly elected government of those responsibilities it has exercised during the transitional period.

3 ♦ UNTAC will assist, as required, with the reintegration into civilian life of the forces demobilized prior to the elections.

4 ♦ *a)* UNTAC will control and guard all the arms, ammunition and equipment of the Parties throughout the transitional period;

b) As the cantoned forces are demobilized in accordance with paragraph 1 above, there will be a parallel reduction by UNTAC of the arms, ammunition and equipment stored on site in the cantonment areas. For the forces remaining in the cantonment areas, access to their arms, ammunition and equipment shall only be on the basis of the explicit authorization of the Special Representative of the Secretary-General;

c) If there is a further demobilization of the military forces in accordance with paragraph 2. a) above, there will be a commensurate reduction by UNTAC of the arms, ammunition and equipment stored on site in the cantonment areas;

d) The ultimate disposition of all arms, ammunition and equipment will be determined by the government that emerges through the free and fair elections in accordance with Article 12 of this Agreement.

Article VI • Verification of withdrawal from Cambodia and non-return of all categories of foreign forces

1 • UNTAC shall be provided, no later than two weeks before the commencement of the second phase of the cease-fire, with detailed information in writing regarding the withdrawal of foreign forces. This information shall include the following elements:

a) Total strength of these forces and their organization and deployment;

b) Comprehensive lists of arms, ammunition and equipment held by these forces, and their exact locations;

c) Withdrawal plan (already implemented or to be implemented), including withdrawal routes, border crossing points and time of departure from Cambodia.

2 • On the basis of the information provided in accordance with paragraph 1 above, UNTAC will undertake an investigation in the manner it deems appropriate. The Party providing the information will be required to make personnel available to accompany UNTAC investigators.

3 • Upon confirmation of the presence of any foreign forces, UNTAC will immediately deploy military personnel with the foreign forces and accompany them until they have withdrawn from Cambodian territory. UNTAC will also establish checkpoints on withdrawal routes, border crossing points and airfields to verify the withdrawal and ensure the non-return of all categories of foreign forces.

4 • The Mixed Military Working Group (MMWG) provided for in Article II of this annex will assist UNTAC in fulfilling the above-mentioned tasks.

Article VII • Cessation of outside military assistance to all Cambodian Parties

1 • All Parties undertake, from the time of the signing of this Agreement, not to obtain or seek any outside military assistance, including weapons, ammunition and military equipment from outside sources.

2 • The Signatories whose territory is adjacent to Cambodia, namely, the Governments of the Lao People's Democratic Republic, the Kingdom of Thailand and the Socialist Republic of Viet Nam, undertake to:

a) Prevent the territories of their respective States, including land territory, territorial sea and air space, from being used for the purpose of providing any form of military assistance to any of the Cambodian Parties. Resupply of such items as food, water, clothing and medical supplies through their territories will be allowed, but shall, without prejudice to the provisions of sub-paragraph c) below, be subject to UNTAC supervision upon arrival in Cambodia;

b) Provide written confirmation to the Commander of the military component of UNTAC, not later than four weeks after the second phase of the cease-fire begins, that no forces, arms, ammunition or military equipment of any of the Cambodian Parties are present on their territories;

c) Receive an UNTAC liaison officer in each of their capitals and designate an officer of the rank of colonel or equivalent, not later than four weeks after the beginning of the second phase of the cease-fire, in order to assist UNTAC in investigating, with due respect for their sovereignty, any complaints that activities are taking place on their territories that are contrary to the provisions of the comprehensive political settlement.

3 • To enable UNTAC to monitor the cessation of outside assistance to all Cambodian Parties, the Parties agree that, upon signature of this Agreement, they will provide to UNTAC any information available to them about the routes and means by which military assistance, including weapons, ammunition and military equipment, have been supplied to any of the Parties. Immediately after the second phase of the cease-fire begins, UNTAC will take the following practical measures:

a) Establish checkpoints along the routes and at selected locations along the Cambodian side of the border and at airfields inside Cambodia;

b) Patrol the coastal and inland waterways of Cambodia;

c) Maintain mobile teams at strategic locations within Cambodia to patrol and investigate allegations of supply of arms to any of the Parties.

Article VIII • Caches of weapons and military supplies

1 • In order to stabilize the security situation, build confidence and reduce arms and military supplies throughout Cambodia, each Party agrees to provide to the Commander of the military component of UNTAC, before a date to be determined by him, all information at its disposal, including marked maps, about known or suspected caches of weapons and military supplies throughout Cambodia.

2 • On the basis of information received, the military component of UNTAC shall, after the date referred to in paragraph 1, deploy verification teams to investigate each report and destroy each cache found.

Article IX • Unexploded ordnance devices

1 • Soon after arrival in Cambodia, the military component of UNTAC shall ensure, as a first step, that all known minefields are clearly marked.

2 • The Parties agree that, after completion of the regroupment and cantonment processes in accordance with Article III of the present annex, they will make available mine-clearing teams which, under the supervision and control of UNTAC military personnel, will leave the cantonment areas in order to assist in removing, disarming or deactivating remaining unexploded ordnance devices. Those mines or objects which cannot be removed, disarmed or deactivated will be clearly marked in accordance with a system to be devised by the military component of UNTAC.

3 • UNTAC shall: *a)* Conduct a mass public education programme in the recognition and avoidance of explosive devices;

b) Train Cambodian volunteers to dispose of unexploded ordnance devices;

c) Provide emergency first-aid training to Cambodian volunteers.

Article X ♦ Investigation of violations

1 ♦ After the beginning of the second phase, upon receipt of any information or complaint from one of the Parties relating to a possible case of non-compliance with any of the provisions of the present annex or related provisions, UNTAC will undertake an investigation in the manner which it deems appropriate. Where the investigation takes place in response to a complaint by one of the Parties, that Party will be required to make personnel available to accompany the UNTAC investigators. The results of such investigation will be conveyed by UNTAC to the complaining Party and the Party complained against, and if necessary to the SNC.

2 ♦ UNTAC will also carry out investigations on its own initiative in other cases when it has reason to believe or suspect that a violation of this annex or related provisions may be taking place.

Article XI ♦ Release of prisoners of war

The military component of UNTAC will provide assistance as required to the International Committee of the Red Cross in the latter's discharge of its functions relating to the release of prisoners of war.

Article XII ♦ Repatriation and resettlement of displaced Cambodians

The military component of UNTAC will provide assistance as necessary in the repatriation of Cambodian refugees and displaced persons carried out in accordance with Articles 19 and 20 of this Agreement, in particular in the clearing of mines from repatriation routes, reception centres and resettlement areas, as well as in the protection of the reception centres.

ANNEX 3 ♦

ELECTIONS

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1 ♦ The constituent assembly referred to in Article 12 of the Agreement shall consist of 120 members. Within three months from the date of the election, it shall complete its tasks of drafting and adopting a new Cambodian Constitution and transform itself into a legislative assembly which will form a new Cambodian Government.

2 ♦ The election referred to in Article 12 of the Agreement will be held throughout Cambodia on a provincial basis in accordance with a system of proportional representation on the basis of lists of candidates put forward by political parties.

3 ♦ All Cambodians, including those who at the time of signature of this Agreement are Cambodian refugees and displaced persons, will have the same rights, freedoms and opportunities to take part in the electoral process.

4 ♦ Every person who has reached the age of eighteen at the time of application to register, or who turns eighteen during the registration period, and who either was born in Cambodia or is the child of a person born in Cambodia, will be eligible to vote in the election.

5 ♦ Political parties may be formed by any group of five thousand registered voters. Party platforms shall be consistent with the principles and objectives of the Agreement on a comprehensive political settlement.

6 ♦ Party affiliation will be required in order to stand for election to the constituent assembly. Political parties will present lists of candidates standing for election on their behalf, who will be registered voters.

7 ♦ Political parties and candidates will be registered in order to stand for election. UNTAC will confirm that political parties and candidates meet the established criteria in order to qualify for participation in the election. Adherence to a Code of Conduct established by UNTAC in consultation with the SNC will be a condition for such participation.

8 ♦ Voting will be by secret ballot, with provision made to assist those who are disabled or who cannot read or write.

9 ♦ The freedoms of speech, assembly and movement will be fully respected. All registered political parties will enjoy fair access to the media, including the press, television and radio.

ANNEX 4 ◆ REPATRIATION OF CAMBODIAN REFUGEES AND DISPLACED PERSONS

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PART I ◆ INTRODUCTION

1 ◆ As part of the comprehensive political settlement, every assistance will need to be given to Cambodian refugees and displaced persons as well as to countries of temporary refuge and the country of origin in order to facilitate the voluntary return of all Cambodian refugees and displaced persons in a peaceful and orderly manner. It must also be ensured that there would be no residual problems for the countries of temporary refuge. The country of origin with responsibility towards its own people will accept their return as conditions become conducive.

PART II ♦ CONDITIONS CONDUCIVE TO THE RETURN OF REFUGEES AND DISPLACED PERSONS

2 ♦ The task of rebuilding the Cambodian nation will require the harnessing of all its human and natural resources. To this end, the return to the place of their choice of Cambodians from their temporary refuge and elsewhere outside their country of origin will make a major contribution.

3 ♦ Every effort should be made to ensure that the conditions which have led to a large number of Cambodian refugees and displaced persons seeking refuge in other countries should not recur. Nevertheless, some Cambodian refugees and displaced persons will wish and be able to return spontaneously to their homeland.

4 ♦ There must be full respect for the human rights and fundamental freedoms of all Cambodians, including those of the repatriated refugees and displaced persons, in recognition of their entitlement to live in peace and security, free from intimidation and coercion of any kind. These rights would include, *inter alia*, freedom of movement within Cambodia, the choice of domicile and employment, and the right to property.

5 ♦ In accordance with the comprehensive political settlement, every effort should be made to create concurrently in Cambodia political, economic and social conditions conducive to the return and harmonious integration of the Cambodian refugees and displaced persons.

6 ♦ With a view to ensuring that refugees and displaced persons participate in the elections, mass repatriation should commence and be completed as soon as possible, taking into account all the political, humanitarian, logistical, technical and socio-economic factors involved, and with the cooperation of the SNC.

7 ♦ Repatriation of Cambodian refugees and displaced persons should be voluntary and their decision should be taken in full possession of the facts. Choice of destination within Cambodia should be that of the individual. The unity of the family must be preserved.

PART III ♦ OPERATIONAL FACTORS

8 ♦ Consistent with respect for principles of national sovereignty in the countries of temporary refuge and origin, and in close cooperation with the countries of temporary refuge and origin, full access by the Office of the United Nations High Commissioner for Refugees (UNHCR), ICRC and other relevant international agencies should be guaranteed to all Cambodian refugees and displaced persons, with a view to the agencies undertaking the census, tracing, medical assistance, food distribution and other activities vital to the discharge of their mandate and operational responsibilities; such access should also be provided in Cambodia to enable the relevant international organizations to carry out their traditional monitoring as well as operational responsibilities.

9 ♦ In the context of the comprehensive political settlement, the Signatories note with satisfaction that the Secretary-General of the United Nations has entrusted UNHCR with the role of leadership and coordination among intergovernmental agencies assisting with the repatriation and relief of Cambodian refugees and displaced persons. The Signatories look to all non-governmental organizations to coordinate as much as possible their work for the Cambodian refugees and displaced persons with that of UNHCR.

10 ♦ The SNC, the Governments of the countries in which the Cambodian refugees and displaced persons have sought temporary refuge, and the countries which contribute to the repatriation and integration effort will wish to monitor closely and facilitate the repatriation of the returnees. An ad hoc consultative body should be established for a limited term for these purposes. The UNHCR, the ICRC, and other international agencies as appropriate, as well as UNTAC, would be invited to join as full participants.

11 ♦ Adequately monitored short-term repatriation assistance should be provided on an impartial basis to enable the families and individuals returning to Cambodia to establish their lives and livelihoods harmoniously in their society. These interim measures would be phased out and replaced in the longer term by the reconstruction programme.

12 ♦ Those responsible for organizing and supervising the repatriation operation will need to ensure that conditions of security are created for the movement of the refugees and displaced persons. In this respect, it is imperative that appropriate border crossing points and routes be designated and cleared of mines and other hazards.

13 ♦ The international community should contribute generously to the financial requirements of the repatriation operation.

ANNEX 5 ♦ PRINCIPLES FOR A NEW CONSTITUTION FOR CAMBODIA

♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦

1 ♦ The constitution will be the supreme law of the land. It may be amended only by a designated process involving legislative approval, popular referendum, or both.

2 ♦ Cambodia's tragic recent history requires special measures to assure protection of human rights. Therefore, the constitution will contain a declaration of fundamental rights, including the rights to life, personal liberty, security, freedom of movement, freedom of religion, assembly and association including political parties and trade unions, due process and equality before the law, protection from arbitrary deprivation of property or deprivation of private property without just compensation, and freedom from racial, ethnic, religious or sexual discrimination. It will prohibit the retroactive application of criminal law. The declaration will be consistent with the provisions of the Universal Declaration of Human Rights and other relevant international instruments. Aggrieved individuals will be entitled to have the courts adjudicate and enforce these rights.

3 ♦ The constitution will declare Cambodia's status as a sovereign, independent and neutral State, and the national unity of Cambodian people.

4 ♦ The constitution will state that Cambodia will follow a system of liberal democracy, on the basis of pluralism. It will provide for periodic and genuine elections. It will provide for the right to vote and to be elected by universal and equal suffrage. It will provide for voting by secret ballot, with a requirement that electoral procedures provide a full and fair opportunity to organize and participate in the electoral process.

5 ♦ An independent judiciary will be established, empowered to enforce the rights provided under the constitution.

6 ♦ The constitution will be adopted by a two-thirds majority of the members of the constituent assembly.

APPENDIX B

CAMBODIA TIMELINE

1941	Prince Norodom Sihanouk crowned king by French
1951	Founding of Communist party of Kampuchea (precursor to Khmer Rouge)
1954	Geneva conference ending First Indochina war
1955	Sihanouk abdicates throne to form *Sangkum Reastr Niyum* (People's Socialist Community)
1965	
April	Cambodia breaks off diplomatic relations with the US ostensibly over aticle appearing in *Newsweek* magazine critical of Sihanouk
1967	
January	Irate villagers attack a tax collection brigade near Samlaut in Battambang province touching off a Communist insureection
1969	
March 18	US forces begin B-52 bombing of Cambodia in 'Operation Menu'
April	Nixon sends note to Sihanouk affirming that the United States recognized and respected "the sovereignty, neutrality and territorial integrity of the Kingdom of Cambodia withi ts present frontiers."
June	Full diplomatic relations restored between Washington and Phnom Penh

August	Sihanouk creates Government of the Last Resort, naming General Lon Nol the new Prime Minister

1970

March 18	Prince Norodom Sihanouk overthrown by Lon Nol -- Khmer Republic
May 1	US ground troops enter Cambodia in attacks on NVA/Vietcong sanctuaries

1973

January 27	Paris Peace Accords signed, ending US combat role in Vietnam and Laos
August 15	US bombing of Cambodia, Arclight, ends

1974

January	China seizes Paracel Islands

1975

January 1	Khmer Rouge (CPK) launches offensive against Khmer Republic
April 1	President Lon Nol resigns and departs country
April 12	US embassy personnel evacuated from Phnom Penh by helicopter
April 17	Khmer Rouge capture Phnom Penh -- Democratic Kampuchea
May 12	Seizure of Mayaguez
May 15	American rescue mission: Air Force & Marines from Utapao -39 crew -- already off ship -15 killed
June 12	visit to Vietnam by Pol Pot
June 21	visit to China by Pol Pot -- hero's welcome by Mao
August 2	Le Duan, Pham Hung, Xuan Thuy visit Phnom Penh

1976

February 10	Cambodia & China sign agreement on military aid

1977	
September 27	Pol Pot reveals existence of Khmer Rouge in radio address
1978	
November	Vietnam and the Soviet Union enter into a Treaty of Friendship and Cooperation
December 25	Vietnamese troops w/ Soviet support invade Cambodia
1979	
January 7	Vietnamese forces capture Phnom Penh
January 10	Heng Samrin installed as head of state of Vietnamese-controlled People's Republic of Kampuchea
February	Chinese troops invade Vietnam to "teach them a lesson"
1981	
June 27	Adoption of PRK Constitution
1982	
June 22	Formation of tripartite Coalition Government of Democratic Kampuchea
1988	
	China announces that it does not seek restoration of Khmer Rouge to authority -- rather coalition of all 4 factions >> political settlement possible
1989	
July	People's Republic of Kampuchea becomes State of Cambodia
September	Vietnam withdraws its forces from Cambodia
1990	
January	First of Permanent Five meetings to discuss Cambodian Civil war

August 28	Perm 5 create framework for resolution of war: -direct UN supervision/control of ministries & agencies concerned manipulation of electoral results -SNC led by Prince Sihanouk -omission of genocide by Rouge
September	1st Sino-Viet summit since '77
September 10	Cambodian factions meet & issue joint communique agreeing to: 1) immediate & indefinte ceasefire; 2) acceptance of the Perm Five framework for a comprehensive political solution; 3) formation of the Supreme National Council
September 20	UN Security Council adopts resolution 668 endorsing framework formulated by Perm Five

1991

October 16	United Nations Advance Mission in Cambodia (UNAMIC) established by Security Council Resolution 717 (1991)
October 23	Agreement on a Comprehensive Political Settlement on the Cambodia Conflict signed in Paris -- victory for China policy
November 14	Sihanouk returns in triumph to Phnom Penh after 22 years of exile or house arrest
November 27	KR leaders Khieu Samphan and Son Sen return to Phnom Penh after 13 years in exile; met by government organized mob, both narrowly escape lynching
December 3	letter signed by more than half the members of the Congress addressed to President Bush calling for stronger efforts to curb the Khmer Rouge -- support for peace plan wavering if seen to be playing into hands of KR
December	UNAMIC opens its office in Phnom Penh

1992

January 8	UNAMIC mandate expanded by S/RES/728 (1992) to include mine-clearing

January 9	Under Secretary General Yasushi Akashi appointed Special Represntative for Cambodia as per Security Council Resolution 918 (1991)
February 28	United Nations Transitional Authority in Cambodia (UNTAC) established by Security Council Resolution 745 (1992)
March 15	UNAMIC absorbed into UNTAC
May 12	UN Secretary General requests $764 million for next 6 months of peacekeeping operations; gets approval for $606 million in addition to $200 million already appropriated
June 22	32-nation conference in Tokyo pledges $880 million in aid to rebuild Cambodia
Mid-1992	UNTAC facing increasing KR intransigence to complying with Phae II of the peace plan, demobilization, aserting that Vietnamese troops are still present inthe country and that UNTAC has strengthed legitimacy of the SOC faction
October 5	Voter registration begins
November 8	10-nation meeting in Beijing on Camodian peace plan fails
November	Sihanouk suffers mild stroke
December 2	6 UN peacekeepers taken hostage by Khmer Rouge guerillas in Kompong thom province
December 31	Imposition of UN sanctions upon Khmer Rouge: oil supplies to, logs from Khmer Rouge-controlled areas
1993	
January 4	Sihanouk announces he is ceasing coopertion with UNTAC as a result of continued political violence
January 8	UNTAC chief Akashi persuades Sihanouk to stay on as SNC president
January 29	SOC initiates armed offensive against KR areas
January 31	UNTAC deadline for KR cooperation and participation in elections
March 9	34 Vietnamese settlers killed in village on Tonle Sap river -- Khmer Rouge blamed
March 29	grenades explode in Phnom Penh targeting establishments of Vietnamese immigrants

April 8	UN civilian volunteer, Atsuhito Nakata, murdered by Khmer Rouge in Kompong Thom
April 13	Khmer Rouge shut office in Phnom Penh and slip out of city
May 23-25	UNTAC supervised elections scheduled

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